

## RUTH BARTLETT.

The bill (H. R. 12395) granting a pension to Ruth Bartlett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ruth Bartlett, the dependent and helpless daughter of Sylvanus Bartlett, late first lieutenant Company H, Eighteenth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EDWIN J. GODFREY.

The bill (H. R. 1709) granting an increase of pension to Edwin J. Godfrey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin J. Godfrey, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## AUGUSTUS E. HODGES.

The bill (H. R. 1685) granting an increase of pension to Augustus E. Hodges was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus E. Hodges, late of Company F, Fourth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ANDREW B. SPURLING.

The bill (H. R. 11916) granting an increase of pension to Andrew B. Spurling was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew B. Spurling, late lieutenant-colonel Second Regiment Maine Volunteer Cavalry and brevet brigadier-general of volunteers, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN S. JAMES.

The bill (H. R. 9654) granting a pension to John S. James was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. James, late captain Company D, Third Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## FRANCES E. SCOTT.

The bill (H. R. 10710) granting an increase of pension to Frances E. Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances E. Scott, widow of Charles H. Scott, late of Company H, Thirteenth Regiment United States Infantry, war with Mexico, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CLARA B. TOWNSEND.

The bill (H. R. 9378) granting a pension to Clara B. Townsend was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clara B. Townsend, widow of Justus Townsend, late acting assistant surgeon, United States Army, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ERASTUS C. MODERWELL.

The bill (H. R. 3884) granting an increase of pension to Erastus C. Moderwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erastus C. Moderwell, late major, Twelfth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$72 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## THEOPHILE A. DAUPHIN.

The bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theophile A. Dauphin, late of Company K, Eighty-sixth Regiment New York Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARION BARNES.

The bill (H. R. 7525) granting a pension to Marion Barnes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marion Barnes, widow of Warren P. Barnes, late musician, Twenty-second Regiment Massachusetts Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HENRY E. DE MARSE.

The bill (H. R. 4053) granting an increase of pension to Henry E. De Marse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry E. De Marse, late of Company L, Eighteenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY E. STOCKINGS.

The bill (H. R. 10957) granting an increase of pension to Mary E. Stockings was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Stockings, widow of Robert Q. Stockings, late of Company K, Forty-seventh Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 9, 1902, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

TUESDAY, April 8, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read, corrected, and approved.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HOWELL, indefinitely, on account of illness.

## TEMPORARY ELECTRIC PERMITS, DISTRICT OF COLUMBIA.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I have sent to the desk.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of a joint resolution which the Clerk will report.

The joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits was read, as follows:

*Resolved, etc.,* That the Commissioners of the District of Columbia are hereby authorized to permit electric-light wires to be laid in existing conduits and house connections between such conduits and Convention Hall, to be made for the purpose of supplying additional light for the Masonic Fair and Exposition of 1902: *Provided*, That all such wires shall be removed on or before May 10, 1902.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the last vote was laid on the table.

## PROTECTION OF GAME IN ALASKA.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11535) for the protection of game in Alaska, and for other purposes.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

*Be it enacted, etc.,* That from and after the passage of this act the wanton destruction of wild game animals or wild birds, the destruction of nests and eggs of such birds, or the killing of any wild bird other than a game bird, or wild game animal, for the purposes of shipment from the district of Alaska, is hereby prohibited. The term "game animals" shall include deer, moose, caribou, sheep, mountain goats, bears, sea lions, and walrus. The term "game birds" shall include water fowl, commonly known as ducks, geese, brant, and swans; shore birds, commonly known as plover, snipe, and curlew, and the several species of grouse and ptarmigan. Nothing in this act shall effect any law now in force in the Territory relating to the fur seal, sea otter, or any fur-bearing animal other than bears and sea lions, or prevent the killing of any game animal or bird for food or clothing by native Indians or Eskimo; but the game animals or birds so killed shall not be shipped or sold.

SEC. 2. That it shall be unlawful for any person in Alaska to kill any wild

game animals or wild birds except during the seasons hereinafter provided: Large brown bears, from April 15 to June 30, both inclusive; moose, caribou, walrus, and sea lions, from September 1 to October 31, both inclusive; deer, sheep, and mountain goats, from September 1 to December 15, both inclusive; grouse, ptarmigan, shore birds, and water fowl, from September 1 to December 15, both inclusive: *Provided*, That the Secretary of Agriculture is hereby authorized whenever he shall deem it necessary for the preservation of game animals or birds to make and publish rules and regulations which shall modify the close seasons hereinbefore established, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality.

SEC. 3. That it shall be unlawful for any person at any time to kill any females or yearlings of moose, caribou, deer, or sheep, or for any one person to kill in any one year more than the number specified of each of the following game animals: Two moose, walrus, or sea lions; four caribou, sheep, goats, or large brown bears; eight deer; or to kill or have in possession in any one day more than 10 grouse or ptarmigan, or 25 shore birds or waterfowl.

That it shall be unlawful for any person at any time to hunt with hounds, to use a shotgun larger than No. 10 gauge, or any gun other than that which can be fired from the shoulder, or to use steam launches or any boats other than those propelled by oars or paddles in the pursuit of game animals or birds. And the Secretary of Agriculture is authorized to make and publish such further restrictions as he may deem necessary to prevent undue destruction of wild game animals or wild birds.

SEC. 4. That it shall be unlawful for any person or persons at any time to sell or offer for sale any hides, skins, or heads of any game animals in the Territory of Alaska, or to sell, or offer for sale therein, any game animals or birds, or parts thereof, during the time when the killing of said animals or birds is prohibited: *Provided*, That it shall be lawful for dealers having in possession any game animals or birds legally killed during the open season to dispose of the same within fifteen days after the close of said season.

SEC. 5. That it shall be unlawful for any person, firm, or corporation or their officers or agents to deliver to any common carrier, or for the owner, agent, or master of any vessel, or for any other person to receive for shipment out of the said district, any hides or carcasses of caribou, deer, or parts thereof, or any wild birds or parts thereof: *Provided*, That nothing in this act shall be construed to prevent the collection of specimens for scientific purposes, the capture or shipment of live animals and birds for exhibition or propagation, or the export from the said district of specimens and trophies, under such restrictions and limitations as the Secretary of Agriculture may prescribe and publish.

SEC. 6. That any person violating any of the provisions of this act or any of the regulations promulgated by the Secretary of Agriculture shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit to the United States all game or birds in his possession, and all guns, traps, nets, or boats used in killing or capturing said game or birds, and shall be punished by a fine of not more than \$200 or imprisonment not more than three months, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That upon conviction for the second or any subsequent offense there may be imposed in addition a fine of \$50 for any violation of sections 1 and 3, and a fine of \$100 for a violation of section 2. It is hereby made the duty of all marshals and deputy marshals, collectors or deputy collectors of customs appointed for the Territory of Alaska, and all officers of revenue cutters to assist in the enforcement of this act. Any marshal or deputy marshal may arrest without warrant any person found violating any of the provisions of this act or any of the regulations herein provided, and may seize any game, birds, or hides, and any traps, nets, guns, boats, or other paraphernalia used in the capture of such game or birds and found in the possession of said person, and any collector or deputy collector of customs, or any person authorized in writing by a marshal, shall have the power above provided to arrest persons found violating this act or said regulations and seize said property without warrant, to keep and deliver the same to a marshal or a deputy marshal. It shall be the duty of the Secretary of the Treasury, upon request of the Secretary of Agriculture, to aid in carrying out the provisions of this act.

The following amendments, recommended by the Committee on the Territories, were read:

First. Amend the title of the bill by striking out the words "the district of," so that the title of the bill will read as follows: "A bill for the protection of game in Alaska, and for other purposes."

Second. In line 14, page 1, strike out the words "the Territory" and insert in lieu thereof the word "Alaska."

Third. On page 2, line 3, after the word "Eskimo," insert the words "or by miners, explorers, or travelers on a journey when in need of food."

Fourth. On page 2, in line 18, after the word "established," insert the words "or provide different close seasons for different parts of Alaska."

Fifth. On page 3, in line 16, after the word "animals," insert the words "or game birds," and in said line 16 strike out the words "the Territory of," so that the same will read "of any game animals or game birds in Alaska;" also, on page 3, line 17, insert the word "game" before the word "birds;" also, on page 3, in line 20, insert the word "game" before the word "birds."

Sixth. On page 4, in line 1, after the word "shipment," insert the words "or have in possession with intent to ship;" also, on page 4, in lines 1 and 2, strike out the words "the said district" and insert in lieu thereof the word "Alaska;" also, on page 4, in line 2, after the word "deer," insert the words "moose, mountain sheep, or mountain goat," so that that portion of said section will read as follows: "For any other person to receive for shipment, or have in possession with intent to ship out of Alaska, any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat;" also, on page 4, line 7, strike out the words "the said district" and insert in lieu thereof the word "Alaska."

Seventh. On page 4, in line 16, after the word "punished," insert the words "for each offense;" also, on page 4, in lines 24 and 25, strike out the words "the Territory of."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MADDOX. Reserving the right to object, I should like to hear the gentleman's explanation of the bill. I tried to hear it read, but although I did my best I could not hear it, and I have no idea that anybody else heard it. I want to know what is in the bill. If it is all right I shall have no objection to it.

Mr. LACEY. Mr. Speaker, if I can have the attention of the House I think there will be no opposition to this bill. It is a bill that has attracted considerable attention, owing to the peculiar situation in Alaska. When we enacted the code of Alaska in the last session, either by accident or oversight the laws then in existence there, which were the laws of Oregon, extended there by

act of Congress, were all repealed, including the game laws. The game laws of Oregon were up to that time the game laws of Alaska.

The Alaska code contained nothing on the subject, and the result was that last season, after the repeal of the Oregon code, the slaughter of the game, the subsistence of the Indians in Alaska, went on in an unparalleled manner. It has been reported to me that one Englishman upon an island along the coast killed 150 walrus in one day, leaving them to rot, not even carrying off the tusks, killing them simply for the delight of slaughter. It appears that at some points in Alaska 6,000 and 8,000 and even 10,000 deer skins have been shipped from a single port. The Indians have been induced by the offer of 30 or 40 cents a skin to kill the deer merely for the hides, thus destroying their own future subsistence. This situation calls upon Congress for early relief. Legislation earlier in the session would not have been availing, because if the law were enacted it could not, on account of the ice, get to Alaska until about the latter part of May or probably the early part of June, in the Nome region, the uppermost part of Alaska; but it is important that this bill should go through in time to be the law of the land during the coming season.

The bill has been drawn with considerable care. It was gone over by the Territorial Committee and parties interested in the subject from the Department of Agriculture, and it is the unanimous report of the committee with the amendments which have been read to the House.

Mr. ROBINSON of Indiana. May I interrupt the gentleman? The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. LACEY. Yes; I yield to the gentleman from Indiana. Mr. ROBINSON of Indiana. I will say to the gentleman from Georgia [Mr. MADDOX] that I concur in the statements made by the gentleman from Iowa. The Committee on the Territories gave the most careful attention to this bill. We found no objection to it. On the contrary, we found a very great necessity for the enactment of this legislation, which was concurred in unanimously by the members of the Committee on the Territories.

Mr. LACEY. It is a question of the starvation of the Indians, Mr. Speaker, unless some relief is granted there, and the dark chapter of the destruction of our large and small game in other parts of the United States is now being repeated in Alaska. This step, if taken now, will be timely, and it ought to be taken at an early date.

Mr. KLEBERG rose.

Mr. LACEY. I yield to my friend from Texas.

Mr. KLEBERG. I just wish to say that this bill has the full support of the entire committee, Democrats and Republicans. There is no division upon it. I think it is a necessary measure to protect the game of Alaska, and I indorse everything my friend from Iowa has said about it.

The SPEAKER. Is there objection?

Mr. MADDOX. Just one word—

Mr. LACEY. I would like to yield to the gentleman from Washington a moment before I yield to the gentleman from Georgia.

Mr. CUSHMAN. Mr. Speaker, the bill at present before this House for consideration is a bill to provide a game law for Alaska. This bill was introduced by the distinguished gentleman from Iowa [Mr. LACEY], whose name is associated with other legislation on the subject of game which has heretofore passed the American Congress. The name of that gentleman at the masthead of this bill is one of the very best indorsements it could possibly have.

I regard this pending bill as one of the very best bills that have come before this House for its consideration since I have been a member of this body. Within the very short time allotted to us for the presentation of this matter to the House to-day it will be impossible for me to discuss this bill and its provisions at length. I will say to you, however, that this bill has been as carefully prepared as any bill that ever came forth from any committee of this House. The bill when introduced was referred to the Committee on Territories. The bill in its present form has the unanimous indorsement of every member of that committee. The committee having this bill in charge called before them gentlemen who had been in Alaska and who were reasonably familiar with the conditions prevailing there with especial reference to wild game.

Thus we have had before us testimony showing the actual conditions existing in that region, and this bill has not been framed to cover any theoretical condition, but to meet the actual situation that exists in Alaska to-day.

In the first place, as was stated by the gentleman from Iowa, before the Alaska Code (which we enacted two years ago) went into force in Alaska—before that time, the general laws of the State of Oregon were in force in Alaska. That portion of the laws of Oregon relating to game was therefore in force in Alaska.



When we came to prepare the code for Alaska it was stated that the conditions in Alaska were so vastly different from those in Oregon that a game law for Alaska based on the Oregon law would not come anywhere near fitting the situation in Alaska. The committee in charge of the revision therefore omitted these laws altogether, and no provisions for the protection or preservation of game were inserted in the Alaska Code. So that the situation, in a nutshell, is briefly this: Alaska lost the old game law which she formerly had and got nothing in its place.

I state here and now—and I wish to give all the emphasis to it that this occasion will permit—that Alaska constitutes the only strip of land on this continent over which the American flag floats that does not have any law for the protection of game birds and game animals. It is the only bit of territory between the Rio Grande and the North Pole that has been so neglected by the law-making power that they have not even a game law.

This fact in itself shows the necessity for some kind of legislation on this subject.

As is well known to all of you, I live in the State of Washington, the State of this Union that is closest to Alaska, and when I say the State that is closest to Alaska I mean it not only in a geographical sense, but commercially and industrially and financially, and in every other sense there exists a bond of sympathy between Alaska and the State of Washington. They have no representative on this floor, and they expect the representatives of the State of Washington to speak for them and to demand protection for their interests. This I am both proud and happy to do.

Two years and a half ago I took a trip from the State of Washington throughout southeastern Alaska. I found out something of the game conditions there then. At every place our boat stopped—at Wrangell, at Juneau, at Skagway—some one would call my attention to the wanton slaughter of the wild game that was going on in that region. Among other game in that region the deer are found in abundance. The Indians can get 50 or 60 cents for a deer skin, and with the characteristic improvidence of his race he will kill a large number of deer whenever the opportunity occurs, take the skins and sell them, and leave the carcasses rotting on the ground. He is thereby destroying the food supply that in a few years he will need.

Now, this bill, among other provisions, absolutely prohibits the sale or offering for sale at any time the skins of game animals, and also makes it unlawful to ship hides out of Alaska. You will observe that when we take away from the white trader the right to traffic in these skins the Indian will lose his market for them. When the Indian loses his incentive to kill the deer he will cease the slaughter. This is only one of the many points of this game bill. I have not time to discuss them all. I shall put into the RECORD as a part of my remarks the report on this bill, which I assisted in preparing.

I trust we have no opposition to the passage of this much-needed and worthy measure.

The report above referred to is as follows:

[House Report No. 951, Fifty-seventh Congress, first session.]

#### GAME LAW IN ALASKA.

The Committee on the Territories, to whom was referred the bill (H. R. 11535) for the protection of game in the district of Alaska, and for other purposes, having had said bill under consideration, report the same with the following amendments:

First. Amend the title of the bill by striking out the words "the district of," so that the title of the bill will read as follows: "A bill for the protection of game in Alaska, and for other purposes."

Second. In line 14, page 1, strike out the words "the Territory" and insert in lieu thereof the word "Alaska."

Third. On page 2, line 3, after the word "Eskimo," insert the words "or by miners, explorers, or travelers on a journey when in need of food."

Fourth. On page 2, in line 18, after the word "established," insert the words "or provide different close seasons for different parts of Alaska."

Fifth. On page 3, in line 16, after the word "animals," insert the words "or game birds," and in said line 16 strike out the words "the Territory of," so that the same will read "of any game animals or game birds in Alaska;" also, on page 3, line 17, insert the word "game" before the word "birds;" also, on page 3, in line 20, insert the word "game" before the word "birds."

Sixth. On page 4, in line 1, after the word "shipment," insert the words "or have in possession with intent to ship;" also, on page 4, in lines 1 and 2, strike out the words "the said district" and insert in lieu thereof the word "Alaska;" also, on page 4, in line 2, after the word "deer," insert the words "moose, mountain sheep, or mountain goat," so that that portion of said section will read as follows: "For any other person to receive for shipment, or have in possession with intent to ship out of Alaska, any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat;" also, on page 4, line 7, strike out the words "the said district" and insert in lieu thereof the word "Alaska."

Seventh. On page 4, in line 16, after the word "punished," insert the words "for each offense;" also, on page 4, in lines 24 and 25, strike out the words "the Territory of."

And as above amended the committee recommend that the bill do pass. Some of the salient features of this bill are as follows:

Prohibits wanton destruction of game animals, game birds, nests, and eggs. Prohibits killing of any game animal or game bird except in specified seasons.

Prohibits the killing of certain of the female game species at any time.

Prohibits the sale or offering for sale at any time of the skins and heads of game animals or birds.

Prohibits the sale of game animals or birds at any time save during the season when it is lawful to kill the same.

Prohibits the shipment out of Alaska of skins or carcasses of game animals or birds.

Provides that miners, campers, or travelers on a journey, in need of food, may at any time kill such game birds or animals as are necessary for food.

Provides that the Indians and Eskimo may at all times kill game animals or birds for their food or clothing.

Provides for punishment for the violation of its provisions by fine or imprisonment or both.

This bill has for its object the protection and preservation of the game birds and animals of Alaska. When the code for Alaska was enacted two years ago it embraced much of the preexisting laws, and also included many new features. Congress had formerly made the laws of the State of Oregon applicable to Alaska. The game laws of Oregon were therefore in force, and though not entirely adapted to the situation in Alaska, were found very useful. The committee in charge of the revision found the subject of game protection quite complicated owing to the great variety of conditions to be met, and therefore omitted these laws altogether, and left Alaska wholly without any statutory protection for the game within her borders.

As Alaska is the greatest wild game region now remaining in America, the misfortune of such a condition strongly appeals to Congress for a prompt remedy.

It is hardly possible that the bill should be perfect in all respects or meet all the requirements in Alaska. It must be remembered that to draw a game bill for so large a country is a vastly different and far more difficult matter than to draw such a bill for any single State or Territory of the Union. In any one of the States of the Union (even the largest of them) the scope of territory embraced is comparatively small, and the game conditions in all parts of the State are substantially similar. The drawing of a game bill for Alaska is equivalent to attempting in a single law to cover the New England, Atlantic, and Middle States, or like trying to make a single game bill broad enough in its provisions to cover all the country west of the Mississippi River to the summit of the Rocky Mountains.

Alaska comprises a vast stretch of territory, and in the different parts thereof are widely different seasons and varying conditions. It is manifestly very difficult, therefore, in the provisions of one bill to meet all these difficulties satisfactorily. We have attempted to meet them by vesting a large amount of power and discretion in the Secretary of Agriculture. The latter part of section 2 of the bill provides:

"That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations which shall modify the close season for different parts of Alaska, or place further restrictions and limitations on the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality."

In any new mining country travelers and miners will kill game in season and out of it for the supply of their immediate wants; and they should be so authorized by law, so as not to be forced to violate the law. The amendment suggested by the committee to meet this necessity is substantially the same as that in force in the Northwest Territory of the Dominion of Canada, and which your committee are informed has operated successfully therein.

In this enlightened day, with the experience of the recent past before us, it needs no argument to show that the wanton and indiscriminate slaughter of game birds and fish should be curbed by law. The desolate woods and barren streams in other parts of the United States serve as a solemn warning as to the fate of these creatures in Alaska unless immediately protected by law.

It was indeed unfortunate that at this critical time, when Alaska is becoming settled, that a period of nearly two years should occur in which there should be no law whatever upon this subject, and the necessity of speedy relief is obvious.

The reports from that country are uniform that Congressional action should not be delayed.

The prohibition of game shipments from Alaska and the suppression of commerce in hides will do more to stop the indiscriminate destruction of animal life than any other enactment that can be devised.

Indians will wholly destroy their food supply for the trifling compensation that they receive for the skins of the victims. The slaughter of deer and other animals for the purpose of shipping the hides should be wholly suppressed.

Judge Melville C. Brown, judge of the United States district court of Alaska for the Juneau Division, writes the following letter on this subject:

DEPARTMENT OF JUSTICE, UNITED STATES DISTRICT COURT,

FIRST DIVISION, DISTRICT OF ALASKA,

Juneau, Alaska, January 26, 1902.

MY DEAR BRECKONS: The slaughter of game in this country is becoming monstrous. It is said that no less than 15,000 deer hides were shipped out of southeast Alaska during last season. It is altogether probable that the slaughter of deer will be as great this winter. The result is self-evident; that within two or three years the game supply will be wholly exhausted and the natives left without food supply, and in order to live at all they will have to be subsisted by the Government.

The natives slaughter this game, not for food purposes, but to secure the price they obtain for the hides, which is a very trifling sum—some 40 cents on the average. Of course they use such portions of the animal for food as their immediate necessities demand, but it is safe to say that nine-tenths of the deer slaughtered are left upon the ground to rot. I am not personally cognizant of all these matters, but the whole question was before the grand jury a year ago this winter, and after diligent inquiry the grand jury reported upon the matter.

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. A game law not as stringent in terms as ours in Wyoming in many respects will answer every purpose here. And the one thing that will stop the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

Very sincerely, yours,

M. C. BROWN,  
Judge United States District Court,  
First Division, District of Alaska.

J. A. BRECKONS, Esq.,  
Washington, D. C.



The grand jury of the United States district court of Alaska, assembled at Juneau, in resolutions adopted by them January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

"Whereas it is within the knowledge of the grand jury duly impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress has sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of miles from the markets of the district, prospecting and developing our great mineral resources: Therefore, be it

"Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier receiving for exportation from the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

"Unanimously adopted by the grand jury January 3, 1901.

"WM. M. EBNER, Foreman.

"C. D. GARFIELD, Secretary."

The following letter from A. S. Dautrick, of Juneau, Alaska, is self-explanatory, not only of the situation, but also as to the feeling of the people of Alaska regarding this much-desired legislation:

JUNEAU, ALASKA, February 18, 1902.

MY DEAR CUSHMAN: You will remember that at various times we have talked about some sort of a game law for Alaska, and the last time you told me that you would look into the matter. I imagine, however, that a multitude of other things have prevented you. The slaughter of deer in the district is so outrageous that unless some law is passed the last territory for the sportsman will be played out. I think that you will agree with me that it should have some protection in the way of a game law. Please let me know whether you care to prepare such a bill or if you would prefer to have some one up here to do it and forward to you to have it introduced.

Yours, truly,

A. S. DAUTRICK.

HON. FRANCIS W. CUSHMAN, M. C.,  
House of Representatives, Washington, D. C.

The following documents from the Department of the Interior, the Attorney-General of the United States, and letter from Mr. Dall De Weese will also throw a great deal of light upon the situation in Alaska:

DEPARTMENT OF THE INTERIOR, Washington, February 1, 1902.

SIR: I have the honor to transmit herewith a copy of a letter from Mr. Dall De Weese, of Canon City, Colo., received by reference from the President, calling attention to the necessity for legislation looking to the protection of large game in Alaska, together with copy of a letter from the honorable the Attorney-General, to whose attention the matter was directed and at whose instance this communication is written.

Copies of Mr. De Weese's letter were transmitted to the Senate and House Committees on Territories, respectively, on the 15th ultimo.

In this connection attention is directed to the recommendation contained in the Report of the Secretary of the Interior for the fiscal year ended June 30, 1899, a copy of which is herewith transmitted, submitting an amendment to the act of March 3, 1899, "To define and punish crimes in the district of Alaska," looking to the protection of deer in that Territory.

Very respectfully,

E. A. HITCHCOCK, Secretary.

HON. JOHN F. LACEY,  
Chairman Committee on Public Lands, House of Representatives.

DEPARTMENT OF JUSTICE,  
Washington, D. C., January 21, 1902.

SIR: I have the honor to acknowledge the receipt of your note of January 16, 1902, inclosing a copy of a letter from Dall De Weese, of Canon City, Colo., to the President, dated December 1, 1901, and a copy of the Annual Report of the Secretary of the Interior for the year ending June 30, 1899, all of which has reference to the protection of game in the Territory of Alaska.

I note with approval the suggestion in your report above referred to of an amendment of the criminal code of Alaska with a view to game preservation there, as also the suggestion of Mr. De Weese in the same direction. But I am not sufficiently familiar with the situation in Alaska to be able to express an opinion whether these are just those best suited to the conditions of that Territory, nor as to how far the natives there, who are to some extent dependent upon game for subsistence, should be included in the prohibition, nor whether other kinds of game than those mentioned in either suggestion should not be included.

At the request of Hon. JOHN F. LACEY, chairman of the House Committee on Public Lands, I recently gave him a statement of my views as to the power of Congress in this matter. And while that referred chiefly to the question of such power as to the public lands within the limits of a State, yet it also referred to the same question in the Territories. Perhaps it would be well to refer the communication of Mr. De Weese with this and a reference to the suggestions in your report to him, as I think he is much interested in the subject. And I suppose that many useful suggestions would be obtained from Governor Brady, of that Territory, not only as to how far the natives should be included in the prohibition, but also as to the kinds of game that should be protected, in what seasons of the year the prohibition should be operative, either as to all or some kinds of game, and whether it should not be operative the year round as to some kinds.

Respectfully,

P. C. KNOX, Attorney-General.

The SECRETARY OF THE INTERIOR.

PROTECT ALASKA GAME.

CANON CITY, COLO., December 1, 1901.

The PRESIDENT:

This is a subject that appeals to every "true-blue sportsman," every lover of animal life, and all those who see beauty in nature, embracing forests, plains, and mountains throughout our entire country, and while the woods, plains, and mountains are naturally beautiful, we all agree that they are much more

grand and lifelike when the wild animals and birds are present. There are now several organizations doing work toward the preservation of wild animal and bird life. There is much yet for us to do. Resolve is to act; let us be up and at it.

For twenty years of my life I have taken my fall outing, embracing the greater part of North America. I have made trips in recent years to various parts of our mountains, where I hunted eighteen to twenty years ago, and it is appalling to note how rapidly the wild animals are disappearing. While I am but 49 years of age, I have seen in this short period the extermination of our buffalo. At the time of my first trip West there were millions. The antelope at that time were thousands—they are now reduced to dozens, here and there. There were also elk yet upon the plains—now there are none. There were bison in our mountains within 25 miles of the place in which I am writing.

I doubt if there are 20 wild bison now in the United States. I have seen thousands of deer in Montana, Idaho, Utah, Mexico, and Colorado, where these numbers are now, comparatively, reduced to one, three, five, and twenties. The "big horn" mountain sheep (*Ovis montana*) that were then hundreds are now reduced with comparative ratio to the rest.

When I was hunting in New Brunswick in 1896, I was told by good authority that these conditions were not quite so bad there and that the enforcement of their laws was the safeguard there as well as in Maine.

During my four seasons' hunting in Alaska, my observations from past experience foreshadow that without stringent laws and their rigid enforcement the big game of Alaska is doomed to as rapid an extermination as it was upon the plains and mountains of Colorado. I will narrate one instance: When in the Kenai Mountains, Alaska, on the 23d day of August, 1897 (from my diary), Mr. Berg and myself, while sitting together on the mountain side, with the aid of a field glass, counted 500 wild white sheep (*Ovis dalli*), all within a radius of 6 to 8 miles, 10 here, 6 there, then 20 and 30 in another locality.

Can a true hunter or a lover of nature imagine a more beautiful sight? Look! Here and there were grand old towering mountains, all snow-capped, some furrowed with gaping canyons, some separated with a mighty glacier, others with a gradual slope carpeted with nutritious grass, upon which these beautiful denizens of the snowy mountains of the north loitered about in groups, either feeding or resting.

I was in these same mountains again in 1898, my wife accompanying me there in 1899. I wanted her to see what had at that time never before been a woman's pleasure. I was in these same mountains again this season (1901), and there is no question about the *Ovis dalli* decreasing in numbers; it is perceptible.

If mineral should be discovered in these mountains, and with no laws to protect this animal, they would be exterminated in a very short time. In 1899 when passing through a section where a so-called "sportsman" had been hunting, four carcasses were lying on one small hill, nothing having been touched, the heads of horns being too small and the work of skinning and preserving too great to suit his—I was going to say his "sport"-ship, but will make it his "devil"-ship.

In 1899 myself, wife, and party killed four sheep, two of which were killed by my wife. We could have killed a hundred. This season (1901) we killed but one, as we needed it for meat; also one bull caribou.

The natives are very destructive to sheep. I have seen them in parties of their own shoot sheep, and if it ran off wounded or fell over a low cliff they never went after it; "too much work; shoot more." When in my party I never allow a native to carry a gun. The conditions I have mentioned regarding sheep extermination the same will apply to moose and caribou.

Now, then, dear reader, if all I have said about this transformation of game from plenty to almost extermination is so perceptible in one man's short life, we all can see its finish in the course of a very few years, unless we act quick while there is yet time.

Alaska is a new country, and a good portion of it is uninhabitable for man, and in this respect it is thus more suitable for game; and there is less excuse for its being slaughtered on account of the country not being desirable for the use of "home seekers." I am sorry to say it, although it is true, that, where the climatic conditions are favorable for the advancement of civilization and the "tiller" of the soil, just so sure is the doom of game in that land—remote and inaccessible localities and game preserves that extend to the winter feeding grounds excepted.

It is not necessary that big game be slaughtered to furnish the "meat stuff" in Alaska, for where man can go a pack train can go also; then it is made possible for the wagons, then railroads. Neither is it necessary that game be slaughtered for the native food supply, yet let them kill what they will actually use; and if our Government would thoroughly instruct the missionaries and priests of Alaska to intercede with the natives on behalf of the game, much good could be done. Teach them the wrong in killing the female and the young of any and all animals. I have talked this with natives in my camp and noticed that it was hard for them to conceive it, yet by constant teaching it will have its effect. I believe that some such game laws as I hereafter mention would be effective in Alaska if enforced.

My twenty-seven years of experience in hunting has convinced me that the "market-meat hunter" is the most destructive to the big game. Where mining localities are remote from railroads or steamship transportation, "meat stuff" is correspondingly expensive; hence if game about the "meat hunter" finds a profitable business and he is always on hand.

Make the law and enforce it whereby it is a penal offense coupled with a fine of \$100 for each offense where a party or parties offer for sale or barter the flesh of any game animal or bird at any spot or place in Alaskan territory, the same law to apply to any and every company and individual attempting to ship or transport game flesh of any kind out of the Territory.

Make a nonresident license law, requiring every sportsman going to hunt and hunting in Alaska to pay \$9 for that privilege, and that this sum allows him to take out of the Territory only one specimen of each species killed by him. The same law to provide a license fee of \$100, which would give the sportsman or hunter taking out that license the right to kill and transport two specimens of each species of animal killed by him, and that he is not allowed to take out more than this quota. The money thus paid to the district commissioners, who might be the nearest postmaster where the hunting is done, and this money to be used, first, for the prosecution of a person or persons violating this law, and any surplus that might accumulate in one year over \$300, that surplus to go to the native school fund of that district.

Make a law that gives an open season only on game from August 15 to November 1, with a fine of \$100 for its violation. This law should apply to natives also as well as nonresidents except where the animal is shot absolutely for immediate food necessity.

Make a law that prohibits sportsmen or other persons from employing natives or other men for killing big game animals or birds, for in doing so most of the meat is wasted and the heads shipped and sold.

Make a law prohibiting the killing of the big brown bear (*Ursus middendorffi*) on Kadiak Island for a period of five years. This would in no way be an injustice to the natives, as this island now contains so few of these animals that hunting them is no longer profitable, and neither do the natives depend on this for support.

Negotiations should be commenced with Great Britain to implore them to



pass some such laws that would coincide with ours that would govern that part of the Yukon or British territory (Columbia) that joins Alaska.

I know full well what objections will be made to such laws by "fur traders," hide and head hunters, but it is right that the grand old bull moose and bull caribou or the great old ram, "*Ovis dalli*," be shot down by the native, paid for so doing by the so-called sportsmen, and only the head taken from the carcass and that shipped out and sold? Isay, is it right that this should be permitted for the gain of a few individuals at the expense of the lives of all the big game of that country, as well as the lovers of nature and the true-blue sportsmen not yet born, all to whom we are responsible?

Let us all act now and use our influence to have some measures appertaining hereto properly brought before the coming session of Congress with the earnest appeal for their enactment.

I have talked several times with Hon. J. G. Brady, governor of Alaska, regarding this subject, and he urged me to formulate some practical measure and he would give it his support.

Yours, fraternally,

DALL DE WEESE,  
Canon City, Colo.

The following extract is taken from the last annual report of Governor John Brady, of Alaska, to the honorable Secretary of the Interior.

No language could state more clearly or forcibly than the report of the governor, not only that a game law is needed for Alaska, but that said game law should contain the provisions which are contained in this bill.

[Report of Governor Brady, of Alaska, on game.]

#### GAME LAW.

Congress should enact a game law for this district. The large game, like the moose, caribou, and common deer, need protection. The wanton slaughter of deer has been carried on to a great extent in southeast Alaska by the natives. In the winter and spring, when the snow is heavy upon the mountains and even to the beach, these animals seek the shores of the island. They become weak, and when run into a snowdrift can be killed with a club.

A single native has been known to bring in as many as 150 skins of animals which he has killed in this fashion. He makes no attempt to use the meat. All he wants is the skin to sell at the store. This does not bring him very much, for it is a winter skin, and therefore not desirable by the dealer. This all can be corrected by prohibiting the exportation of deer hides from Alaska. The native will have no incentive to kill deer simply for their hides. The hides of those which he kills for himself or to sell he can make use of for his own moccasins and other articles of clothing which he uses.

Mr. LACEY. I yield to the gentleman from New York, and then I will yield to the gentleman from Georgia.

Mr. SULZER. Mr. Speaker, the purpose of this bill is to protect and to some extent preserve the game birds and wild animals in the district of Alaska. It is a most commendable measure, and should pass without opposition. I am enthusiastically in favor of the passage of this bill, and request the indulgence of this House for a few moments to plead its urgent necessity. I have carefully examined the provisions of this proposed game law, and in my opinion they meet the immediate requirements of the case and will prevent the ruthless extermination of wild animals in Alaska. It is high time we acted in this matter. The cruel and unnecessary slaughter of wild game animals in Alaska at the present time, and for the past few years, has been as wanton as it has been enormous; and if the wholesale slaughter is not stopped by a drastic game law the birds and wild animals will soon be exterminated. Nearly all of them are killed for their skins. I hold in my hand and will read a letter just received, dated March 14, 1903, from a gentleman I know well—a shipping agent at Wrangell, Alaska. This letter is as follows:

McKINNON WARE AND FORWARDING COMPANY,  
Wrangell, Alaska, March 14, 1903.

DEAR SIR: As it has been some time since I last wrote you, I will now pen you a few lines pertaining to this part of the country.

Our weather has been very mild this winter and snow very scarce, as it has snowed only three times from November 23, 1901, to the last of the present month, and the snow then being about 2 inches deep. At the present time we have the largest fall of snow of the season, it being 5 inches deep, but it has started to rain and I suppose within the next forty-eight hours it will be a thing of the past.

Now, this last fall of snow on the ground at present brings up the usual slaughter of our deer, and knowing you to be a true sportsman (from hunting with you in the past three seasons) I know you will certainly help to give us Alaskan people a game law that will protect the deer of our district.

You know from being on the ground that there are thousands of deer slaughtered in this district simply for their hides. I myself have shipped about 4,000 deer skins within the last six months, and I honestly think that at least 3,500 of the deer killed were simply killed for the hides, the carcasses being left on the ground to rot or eaten by wolves.

The amount of deer I refer to is simply a few that come to Wrangell for shipment, all killed within a radius of 50 miles of our town. Just think how many there must be slaughtered in the thousands of square miles of our northern country of Alaska.

Now, if you can help get us a game law, you will have the eternal friendship of all good law-abiding citizens of this far-away Alaska.

If you can drop me a line and suggest any way in which I can promote this game law, I wish you would kindly do so, as I would willingly give up any reasonable amount of time and money to get the law that we need so badly in order to protect the deer of our country.

Hoping to hear from you in regard to the law to protect the deer,

I remain, sincerely, yours,

J. F. COLLINS.

Hon. WILLIAM SULZER, Washington, D. C.

Mr. Speaker, that letter is true. It speaks for itself, and the story it tells justifies the immediate passage of this bill. I have spent some time in Alaska, and I know whereof I speak when I say that much additional testimony of a like character could be adduced if necessary. In fact, the citizens generally in Alaska are anxious that the wild game there should be protected by a stringent law immediately enacted by Congress. Judge M. C. Brown, of the United States district court for Alaska, tersely sums up the situation at the present time in a recent letter to a friend, from which I now quote. The learned judge says:

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. And the one thing that will stop

the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

When the code for Alaska was enacted two years ago, it embraced much of the preexisting laws, and also included many new features. Congress had formerly made the laws of the State of Oregon applicable to Alaska. The game laws of Oregon were therefore in force, and though not entirely adapted to the situation in Alaska were found very useful. The committee in charge of the revision found the subject of game protection quite complicated, owing to the great variety of conditions to be met, and therefore omitted these laws altogether and left Alaska wholly without any statutory protection. As Alaska is the greatest wild-game region now remaining in America the misfortune of such a condition strongly appeals to Congress for prompt action.

The indiscriminate slaughter of wild game birds and animals in Alaska is monstrous and most deplorable. The wanton slaughter of this game by the natives—not for food purposes, but for the small sum they can get for the skins—is a crying shame. Last summer I was told in Alaska that nine-tenths of the large game, like moose, elk, caribou, sheep, goats, and deer, when slaughtered by the vandal natives, are stripped of their skins and the carcasses left on the ground to rot. It is said, and I have no reason to doubt it, that more than 20,000 of these skins were shipped from southeastern Alaska last year. What a cruel shame it all is. If Congress does not stop it now, these animals in Alaska will soon be as scarce as the buffalo. Year in and year out this frightful slaughter goes on, but I believe it has been carried on to a greater extent in southeastern Alaska by the natives than in any other part of the district. In the winter and spring, when the snow is heavy on the mountains and even to the beach, these animals seek the shores of the islands. They become weak, and when run into a snowdrift can be killed with a club. A single native has been known to bring in as many as 150 skins of animals which he has killed in this fashion. He makes no attempt to use the meat. All he wants is the skin to sell at the store. This does not bring him very much, for it is a winter skin and therefore not very desirable by the dealer. This all can be corrected by prohibiting the exportation of deer hides from Alaska. The native will have no incentive then to kill deer simply for their hides. The hides of those which he kills for himself he can make use of for his own moccasins and other articles of clothing.

In this connection, Mr. Speaker, I wish to call the attention of the House to the following, which I deem very important. The grand jury of the United States district court of Alaska, assembled at Juneau January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

Whereas it is within the knowledge of the grand jury impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress has sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of miles from the markets of the district, prospecting and developing our great mineral resources. Therefore be it

Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier receiving for exportation from the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

Unanimously adopted by the grand jury January 3, 1901.

WM. M. EBNER, Foreman.  
C. D. GARFIELD, Secretary.

Mr. Ebner, the foreman of that grand jury, is a distinguished citizen of Juneau, whom I have had the pleasure of meeting and talking with regarding this subject.

This bill amply protects the Indian natives and allows them at all times to kill wild birds and animals for food and clothing. It also provides that miners, campers, and travelers on a journey in need of food may at any time kill such game birds and animals as may be necessary for food. No true sportsman can take



exception to the provisions of this bill, and every lover of wild animals will, I feel confident, commend its enactment into law. The highest consideration for the natives, whose chief food supply will be exhausted when the game is exterminated, and the imperative duty of each member of this House charged with the responsibility of protecting our wild animals and game birds demand, in my judgment, the immediate and unanimous passage of this wise, farseeing, and commendable measure. [Applause.]

Mr. LACEY. Now I will yield to the gentleman from Georgia.

Mr. MADDOX. I just want to say, Mr. Speaker, that when this bill was being read I discovered that it was a very long bill, and tried my best to hear what was in it, but could not. I noticed that it provided for fines and forfeitures and one thing and another, and so far as I was concerned I was satisfied after the gentleman from Iowa had made his statement, and I have no objection.

Mr. LLOYD. Mr. Speaker, I wish to say in connection with the bill that the committee to which it was referred has carefully investigated the matter. I simply ask the privilege of inserting in my remarks the report of the judge of the district where the game is—

The SPEAKER. Unanimous consent has not yet been given. After that matter is settled, the Chair will recognize the gentleman. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. Now the Chair recognizes the gentleman from Missouri.

Mr. LACEY. I ask to be recognized, and I will yield to the gentleman from Missouri.

The SPEAKER. The gentleman from Iowa yields to the gentleman from Missouri.

Mr. LLOYD. I simply want to ask unanimous consent that I may insert as a part of my remarks the statement of the judge of the judicial district in Alaska, and also the report of the grand jury of that district, which took this matter into consideration and reported the fact that there were vast hordes of animals there that were being destroyed, and that it was necessary that Congress take immediate action in order to protect the game of that district.

The SPEAKER. The gentleman from Missouri asks unanimous consent to include in his remarks the matters just referred to by him. Without objection, this privilege will be granted.

There was no objection.

Mr. LLOYD. The statement of the judge was as follows:

DEPARTMENT OF JUSTICE, UNITED STATES DISTRICT COURT,  
FIRST DIVISION, DISTRICT OF ALASKA,  
Juneau, Alaska, January 26, 1902.

MY DEAR BRECKONS: The slaughter of game in this country is becoming monstrous. It is said that no less than 15,000 deer hides were shipped out of southeast Alaska during last season. It is altogether probable that the slaughter of deer will be as great this winter. The result is self-evident—that within two or three years the game supply will be wholly exhausted and the natives left without food supply, and in order to live at all they will have to be subsisted by the Government.

The natives slaughter this game, not for food purposes, but to secure the price they obtain for the hides, which is a very trifling sum—some 40 cents on the average. Of course they use such portions of the animal for food as their immediate necessities demand, but it is safe to say that nine-tenths of the deer slaughtered are left upon the ground to rot. I am not personally cognizant of all these matters, but the whole question was before the grand jury a year ago this winter, and after diligent inquiry the grand jury reported upon the matter.

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. A game law not as stringent in terms as ours in Wyoming in many respects will answer every purpose here. And the one thing that will stop the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

Very sincerely, yours,

M. C. BROWN,  
Judge United States District Court,  
First Division, District of Alaska.

J. A. BRECKONS, Esq., Washington, D. C.

The grand jury report referred to is as follows:

The grand jury of the United States district court of Alaska, assembled at Juneau, in resolutions adopted by them January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

"Whereas it is within the knowledge of the grand jury duly impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress had sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of

miles from the markets of the district, prospecting and developing our great mineral resources: Therefore, be it

"Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier, receiving for exportation from, the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

"Unanimously adopted by the grand jury January 3, 1901.

"WM. M. EBNER, Foreman.  
"C. D. GARFIELD, Secretary."

Mr. LACEY. I ask to insert with my remarks the report of the committee. The report is exhausted, and this will be better than to have a reprint.

The SPEAKER. The gentleman from Iowa asks unanimous consent to insert in the RECORD the report of the committee upon the bill now before the House. Without objection, this authority will be given.

There was no objection.

The report is as follows:

The Committee on the Territories, to whom was referred the bill (H. R. 11535) for the protection of game in the district of Alaska, and for other purposes, having had said bill under consideration, report the same with the following amendments:

First. Amend the title of the bill by striking out the words "the district of," so that the title of the bill will read as follows: "A bill for the protection of game in Alaska, and for other purposes."

Second. In line 14, page 1, strike out the words "the Territory" and insert in lieu thereof the word "Alaska."

Third. On page 2, line 3, after the word "Eskimo," insert the words "or by miners, explorers, or travelers on a journey when in need of food."

Fourth. On page 2, in line 18, after the word "established," insert the words "or provide different close seasons for different parts of Alaska."

Fifth. On page 3, in line 16, after the word "animals," insert the words "or game birds," and in said line 16 strike out the words "the Territory of," so that the same will read "of any game animals or game birds in Alaska;" also, on page 3, line 17, insert the word "game" before the word "birds;" also, on page 3, in line 20, insert the word "game" before the word "birds."

Sixth. On page 4, in line 1, after the word "shipment," insert the words "or have in possession with intent to ship;" also, on page 4, in lines 1 and 2, strike out the words "the said district" and insert in lieu thereof the word "Alaska;" also, on page 4, in line 2, after the word "deer," insert the words "moose, mountain sheep, or mountain goat," so that that portion of said section will read as follows: "For any other person to receive for shipment, or have in possession with intent to ship out of Alaska, any hides or carcasses of caribou, deer, moose, mountain sheep, or mountain goat;" also, on page 4, line 7, strike out the words "the said district" and insert in lieu thereof the word "Alaska."

Seventh. On page 4, in line 16, after the word "punished," insert the words "for each offense;" also, on page 4, in lines 24 and 25, strike out the words "the Territory of."

And as above amended the committee recommend that the bill do pass.

Some of the salient features of this bill are as follows:

Prohibits wanton destruction of game animals, game birds, nests, and eggs.

Prohibits killing of any game animal or game bird except in specified seasons.

Prohibits the killing of certain of the female game species at any time.

Prohibits the sale or offering for sale at any time of the skins and heads of game animals or birds.

Prohibits the sale of game animals or birds at any time save during the season when it is lawful to kill the same.

Prohibits the shipment out of Alaska of skins or carcasses of game animals or birds.

Provides that miners, campers, or travelers on a journey, in need of food, may at any time kill such game birds or animals as are necessary for food.

Provides that the Indians and Eskimo may at all time kill game animals or birds for their food or clothing.

Provides for punishment for the violation of its provisions by fine or imprisonment, or both.

This bill has for its object the protection and preservation of the game birds and animals of Alaska. When the code for Alaska was enacted two years ago it embraced much of the preexisting laws, and also included many new features. Congress had formerly made the laws of the State of Oregon applicable to Alaska. The game laws of Oregon were therefore in force, and though not entirely adapted to the situation in Alaska, were found very useful. The committee in charge of the revision found the subject of game protection quite complicated owing to the great variety of conditions to be met, and therefore omitted these laws altogether, and left Alaska wholly without any statutory protection for the game within her borders.

As Alaska is the greatest wild-game region now remaining in America, the misfortune of such a condition strongly appeals to Congress for a prompt remedy.

It is hardly possible that the bill should be perfect in all respects or meet all the requirements in Alaska. It must be remembered that to draw a game bill for so large a country is a vastly different and far more difficult matter than to draw such a bill for any single State or Territory of the Union. In any one of the States of the Union (even the largest of them) the scope of territory embraced is comparatively small, and the game conditions in all parts of the State are substantially similar. The drawing of a game bill for Alaska is equivalent to attempting in a single law to cover the New England, Atlantic, and Middle States, or like trying to make a single game bill broad enough in its provisions to cover all the country west of the Mississippi River to the summit of the Rocky Mountains.

Alaska comprises a vast stretch of territory, and in the different parts thereof are widely different seasons and varying conditions. It is manifestly very difficult, therefore, in the provisions of one bill to meet all these difficulties satisfactorily. We have attempted to meet them by vesting a large amount of power and discretion in the Secretary of Agriculture. The latter part of section 2 of the bill provides:

"That the Secretary of Agriculture is hereby authorized, whenever he shall deem it necessary for the preservation of game animals or birds, to make and publish rules and regulations which shall modify the close season for different parts of Alaska, or place further restrictions and limitations on



the killing of such animals or birds in any given locality, or to prohibit killing entirely for a period not exceeding five years in such locality."

In any new mining country travelers and miners will kill game in season and out of it for the supply of their immediate wants; and they should be so authorized by law, so as not to be forced to violate the law. The amendment suggested by the committee to meet this necessity is substantially the same as that in force in the Northwest Territory of the Dominion of Canada, and which your committee are informed has operated successfully therein.

In this enlightened day, with the experience of the recent past before us, it needs no argument to show that the wanton and indiscriminate slaughter of game birds and fish should be curbed by law. The desolate woods and barren streams in other parts of the United States serve as a solemn warning as to the fate of these creatures in Alaska unless immediately protected by law.

It was indeed unfortunate that at this critical time, when Alaska is becoming settled, that a period of nearly two years should occur in which there should be no law whatever upon this subject, and the necessity of speedy relief is obvious.

The reports from that country are uniform that Congressional action should not be delayed.

The prohibition of game shipments from Alaska and the suppression of commerce in hides will do more to stop the indiscriminate destruction of animal life than any other enactment that can be devised.

Indians will wholly destroy their food supply for the trifling compensation that they receive for the skins of their victims. The slaughter of deer and other animals for the purpose of shipping the hides should be wholly suppressed.

Judge Melville C. Brown, judge of the United States district court of Alaska for the Juneau division, writes the following letter on this subject:

DEPARTMENT OF JUSTICE, UNITED STATES DISTRICT COURT,  
FIRST DIVISION, DISTRICT OF ALASKA,  
Juneau, Alaska, January 26, 1902.

MY DEAR BRECKONS: The slaughter of game in this country is becoming monstrous. It is said that no less than 15,000 deer hides were shipped out of southeast Alaska during last season. It is altogether probable that the slaughter of deer will be as great this winter. The result is self-evident; that within two or three years the game supply will be wholly exhausted and the natives left without food supply, and in order to live at all they will have to be subsisted by the Government.

The natives slaughter this game, not for food purposes, but to secure the price they obtain for the hides, which is a very trifling sum—some 40 cents on the average. Of course they use such portions of the animal for food as their immediate necessities demand, but it is safe to say that nine-tenths of the deer slaughtered are left upon the ground to rot. I am not personally cognizant of all these matters, but the whole question was before the grand jury a year ago this winter, and after diligent inquiry the grand jury reported upon the matter.

Some law should be passed by Congress at this session that will put an end to this indiscriminate slaughter of game. A game law, not as stringent in terms as ours in Wyoming in many respects, will answer every purpose here. And the one thing that will stop the indiscriminate slaughter is the prevention of the hides being shipped from the country or sold, and making it an offense against the law, with a severe penalty, for any vessel or other medium of transportation to receive such hides for shipment or to have them in their possession for such purpose, and punishing any transportation or shipment of hides, either from the mainland or any of the islands of Alaska. This will tend to save the game, and eventually to save the Indians from starvation. Of course this law should apply to moose, elk, mountain goat, mountain sheep, etc., as well as to deer.

The mountains in this country rise out of the sea, as it were, from the islands as well as on the shore of the mainland, and run up to great heights. When the snow falls in winter the deer are driven down to the shores of the sea for subsistence, and the Indians are said to gather in a bunch of deer as high as 500 in number, and these are driven into the deep snow in some canyon and then the Indians kill them with clubs and wipe out the bunch of deer gathered in that way. It is easy to understand how rapidly they may be extinguished entirely by such methods.

Very sincerely, yours,

M. C. BROWN,  
Judge, United States District Court,  
First Division, District of Alaska.

J. A. BRECKONS, Esq., Washington, D. C.

The grand jury of the United States district court of Alaska, assembled at Juneau, in resolutions adopted by them January 3, 1901, ask for the enactment of a game law for Alaska, and in their resolutions use the following language:

"Whereas it is within the knowledge of the grand jury duly impaneled for the December, 1900, term of the United States district court of Alaska, in and for division No. 1 thereof, and assembled from all parts of said division and being thoroughly conversant with existing conditions, that there has been and is a wanton and willful destruction of game in this district; that it is an acknowledged fact that thousands of deer are killed annually for their hide, which sells for the paltry sum of 40 cents, while their carcasses are left to decompose or be devoured by wild beasts. Congress has sadly neglected to make any provision for the protection of our game, the natural meat supply of the natives and of the miners and prospectors who are hundreds of miles from the markets of the district, prospecting and developing our great mineral resources. Therefore, be it

"Resolved, That Congress be, and it is hereby, petitioned to insert in the Alaska criminal code the following game law:

"That any person or persons, corporation or corporations, offering for sale in, or any person or persons, corporation or corporations, or common carrier receiving for exportation from, the district of Alaska the flesh of the deer, moose, caribou, elk, mountain sheep or goat, goose, brant, duck, grouse or ptarmigan, or the hides or horns of the deer, moose, caribou, elk, mountain sheep or goat, shall be deemed guilty of a misdemeanor and punished by a fine of not more than \$500 or imprisonment in the county jail not more than one year, or both.

"Each and every deputy United States marshal within said district shall be ex officio game warden for their respective districts, and shall receive as compensation for said service one-half of all fines collected by due process of law under this act."

"Unanimously adopted by the grand jury January 3, 1901."

"WM. M. EBNER, Foreman.  
"C. D. GARFIELD, Secretary."

The following letter from A. S. Dautrick, of Juneau, Alaska, is self-explanatory, not only of the situation, but also as to the feeling of the people of Alaska regarding this much-desired legislation:

JUNEAU, ALASKA, February 18, 1902.

MY DEAR CUSHMAN: You will remember that at various times we have talked about some sort of a game law for Alaska, and the last time you told me that you would look into the matter. I imagine, however, that a multitude of other things have prevented you. The slaughter of deer in the district is so outrageous that unless some law is passed the last territory for the

sportsman will be played out. I think that you will agree with me that it should have some protection in the way of a game law. Please let me know whether you care to prepare such a bill or if you would prefer to have some one up here do it and forward to you to have it introduced.

Yours, truly,

A. S. DAUTRICK.

HON. FRANCIS W. CUSHMAN, M. C.,  
House of Representatives, Washington, D. C.

The following documents from the Department of the Interior, the Attorney-General of the United States, and letter from Mr. Dall De Weese will also throw a great deal of light upon the situation in Alaska:

DEPARTMENT OF THE INTERIOR,  
Washington, February 1, 1902.

SIR: I have the honor to transmit herewith a copy of a letter from Mr. Dall De Weese, of Canon City, Colo., received by reference from the President, calling attention to the necessity for legislation looking to the protection of large game in Alaska, together with copy of a letter from the honorable the Attorney-General, to whose attention the matter was directed and at whose instance this communication is written.

Copies of Mr. De Weese's letter were transmitted to the Senate and House Committees on Territories, respectively, on the 15th ultimo.

In this connection attention is directed to the recommendation contained in the Report of the Secretary of the Interior for the fiscal year ended June 30, 1899, a copy of which is herewith transmitted, submitting an amendment to the act of March 3, 1899, "To define and punish crimes in the District of Alaska," looking to the protection of deer in that Territory.

Very respectfully,

E. A. HITCHCOCK, Secretary.

HON. JOHN F. LACEY,  
Chairman Committee on Public Lands, House of Representatives.

DEPARTMENT OF JUSTICE,  
Washington, D. C., January 21, 1902.

SIR: I have the honor to acknowledge the receipt of your note of January 16, 1902, inclosing a copy of a letter from Dall De Weese, of Canon City, Colo., to the President, dated December 1, 1901, and a copy of the Annual Report of the Secretary of the Interior for the year ending June 30, 1899, all of which has reference to the protection of game in the Territory of Alaska.

I note with approval the suggestion in your report above referred to of an amendment of the criminal code of Alaska with a view to game preservation there, as also the suggestion of Mr. De Weese in the same direction. But I am not sufficiently familiar with the situation in Alaska to be able to express an opinion whether these are just those best suited to the conditions of that Territory, nor as to how far the natives there, who are to some extent dependent upon game for subsistence, should be included in the prohibition, nor whether other kinds of game than those mentioned in either suggestion should not be included.

At the request of Hon. J. F. LACEY, chairman of the House Committee on Public Lands, I recently gave him a statement of my views as to the power of Congress in this matter. And while that referred chiefly to the question of such power as to the public lands within the limits of a State, yet it also referred to the same question in the Territories. Perhaps it would be well to refer the communication of Mr. De Weese with this and a reference to the suggestions in your report to him, as I think he is much interested in the subject. And I suppose that many useful suggestions would be obtained from Governor Brady, of that Territory, not only as to how far the natives should be included in the prohibition, but also as to the kinds of game that should be protected, in what seasons of the year the prohibition should be operative, either as to all or some kinds of game, and whether it should not be operative the year round as to some kinds.

Respectfully,

P. C. KNOX,  
Attorney-General.

THE SECRETARY OF THE INTERIOR.

PROTECT ALASKA GAME.

CANON CITY, COLO., December 1, 1901.

THE PRESIDENT:

This is a subject that appeals to every "true-blue sportsman," every lover of animal life, and all those who see beauty in nature, embracing forests, plains, and mountains throughout our entire country, and while the woods, plains, and mountains are naturally beautiful, we all agree that they are much more grand and lifelike when the wild animals and birds are present. There are now several organizations doing work toward the preservation of wild animal and bird life. There is much yet for us to do—resolve is to act; let us be up and at it.

For twenty years of my life I have taken my fall outing, embracing the greater part of North America. I have made trips in recent years to various parts of our mountains, where I hunted eighteen to twenty years ago, and it is appalling to note how rapidly the wild animals are disappearing. While I am but 43 years of age, I have seen in this short period the extermination of our buffalo; at the time of my first trip west there were millions. The antelope at that time were thousands—they are now reduced to dozens, here and there. There were also elk yet upon the plains—now there are none. There were bison in our mountains within 25 miles of the place in which I am writing. I doubt if there are 20 wild bison now in the United States. I have seen thousands of deer in Montana, Idaho, Utah, Mexico, and Colorado, where these numbers are now, comparatively, reduced to one, three, five, and twenties. The "big horn" mountain sheep (*Ovis montana*) that were 200,000 are now reduced with comparative ratio to the rest.

When I was hunting in New Brunswick in 1896 I was told by good authority that these conditions were not quite so bad there, and that the enforcement of their laws was the safeguard there as well as in Maine.

During my four seasons' hunting in Alaska, my observations from past experience foreshadow that without stringent laws and their rigid enforcement the big game of Alaska is doomed to as rapid an extermination as it was upon the plains and mountains of Colorado. I will narrate one instance: When in the Kenai Mountains, Alaska, on the 23d day of August, 1897 (from my diary), Mr. Berg and myself, while sitting together on the mountain side, with the aid of a field glass, counted 500 wild white sheep (*Ovis dalli*), all within a radius of 6 to 8 miles, 10 here, 6 there, then 20 and 30 in another locality. Can a true hunter or a lover of nature imagine a more beautiful sight? Look! here and there were grand old towering mountains, all snow capped, some furrowed with gaping canyons, some separated by a mighty glacier, others with a gradual slope, carpeted with nutritious grass, upon which these beautiful denizens of the snowy mountains of the north loitered about in groups, either feeding or resting.

I was in these same mountains again in 1898, my wife accompanying me there in 1899. I wanted her to see what had at that time never before been a woman's pleasure. I was in these same mountains again this season (1901), and there is no question about the *Ovis dalli* decreasing in numbers; it is perceptible. If mineral should be discovered in these mountains, and with no laws to protect this animal, they would be exterminated in a very short



time. In 1899 when passing through a section where a "so-called sportsman" had been hunting, four carcasses were lying on one small hill, nothing having been touched, the heads of horns being too small and the work of skinning and preserving too great to suit his—I was going to say his "sport"-ship, but will make it his "devil"-ship.

In 1899 myself, wife, and party killed four sheep, two of which were killed by my wife. We could have killed a hundred. This season (1901) we killed but one, as we needed it for meat, also one bull caribou.

The natives are very destructive to sheep. I have seen them in parties of their own shoot sheep, and if it ran off wounded or fell over a low cliff they never went after it; "too much work; shoot more." When in my party I never allow a native to carry a gun. The conditions I have mentioned regarding sheep extermination the same will apply to moose and caribou.

Now, then, dear reader, if all I have said about this transformation of game from plenty to almost extermination is so perceptible in one man's short life, we all can see its finish in the course of a very few years unless we act quick while there is yet time.

Alaska is a new country and a good portion of it is uninhabitable for man, and in this respect it is thus more suitable for game; and there is less excuse for its being slaughtered on account of the country not being desirable for the use of "home seekers." I am sorry to say it, although it is true, that where the climatic conditions are favorable for the advancement of civilization and the "tiller" of the soil, just so sure is the doom of game in that land, remote and inaccessible localities and game preserves that extend to the winter feeding grounds excepted.

It is not necessary that big game be slaughtered to furnish the "meat stuff" in Alaska, for where man can go a pack train can go also; then it is made possible for the wagons, then railroads. Neither is it necessary that game be slaughtered for the native food supply, yet let them kill what they will actually use; and if our Government would thoroughly instruct the missionaries and priests of Alaska to intercede with the natives on behalf of the game, much good could be done. Teach them the wrong in killing the female and the young of any and all animals. I have talked this with natives in my camp and noticed that it was hard for them to conceive it, yet by constant teaching it will have its effect. I believe that some such game laws as I hereafter mention would be effective in Alaska if enforced.

My twenty-seven years of experience in hunting has convinced me that the "market meat hunter" is the most destructive to the big game. Where mining localities are remote from railroads or steamship transportation, "meat stuff" is correspondingly expensive; hence if game abound the "meat hunter" finds a profitable business and he is always on hand.

Make the law and enforce it whereby it is a penal offense coupled with a fine of \$100 for each offense where a party or parties offer for sale or barter the flesh of any game animal or bird at any spot or place in Alaskan territory, the same law to apply to any and every company or individual attempting to ship or transport game flesh of any kind out of the Territory.

Make a nonresident license law requiring every sportsman going to hunt and hunting in Alaska to pay \$50 for that privilege, and that this sum allows him to take out of the Territory only one specimen of each species killed by him. The same law to provide a license fee of \$100, which would give the sportsman or hunter taking out that license the right to kill and transport two specimens of each species of animal killed by him, and that he is not allowed to take out more than this quota. The money thus paid to the district commissioners, who might be the nearest postmaster where the hunting is done, and this money to be used, first, for the prosecution of a person or persons violating this law, and any surplus that might accumulate in one year over \$30, that surplus to go to the native school fund of that district.

Make a law that gives an open season only on game from August 15 to November 1, with a fine of \$100 for its violation. This law should apply to natives also, as well as nonresidents, except where the animal is shot absolutely for immediate food necessity.

Make a law that prohibits sportsmen or other persons from employing natives or other men for killing big game animals or birds, for in doing so most of the meat is wasted and the heads shipped and sold.

Make a law prohibiting the killing of the big brown bear (*Ursus middendorffi*) on Kadiak Island for a period of five years. This would in no way be an injustice to the natives, as this island now contains so few of these animals that hunting them is no longer profitable, and neither do the natives depend on this for support.

Negotiations should be commenced with Great Britain to implore them to pass some such laws that would coincide with ours that would govern that part of the Yukon or British territory (Columbia) that joins Alaska.

I know full well what objections will be made to such laws by "fur traders," hide and head hunters, but it is right that the grand old bull moose and bull caribou or the great old ram "Ovis Dalli" be shot down by the native, paid for so doing by the "so-called sportsmen," and only the head taken from the carcass and that shipped out and sold? I say, is it right that this should be permitted for the gain of a few individuals at the expense of the lives of all the big game of that country, as well as the lovers of nature and the "true-blue sportsmen" not yet born, to all whom we are responsible?

Let us all act now and use our influence to have some measures appertaining hereto properly brought before the coming session of Congress with the earnest appeal for their enactment.

I have talked several times with Hon. J. G. Brady, governor of Alaska, regarding this subject, and he urged me to formulate some practical measure and he would give it his support.

Yours, fraternally,

DALL DE WEESE,  
Canon City, Colo.

The following extract is taken from the last annual report of Governor John Brady, of Alaska, to the honorable Secretary of the Interior.

No language could state more clearly or forcibly than the report of the governor, not only that a game law is needed for Alaska, but that said game law should contain the provisions which are contained in this bill.

[Report of Governor Brady, of Alaska, on game.]

#### GAME LAW.

Congress should enact a game law for this district. The large game, like the moose, caribou, and common deer, need protection. The wanton slaughter of deer has been carried on to a great extent in southeast Alaska by the natives. In the winter and spring, when the snow is heavy upon the mountains and even to the beach, these animals seek the shores of the island. They become weak, and when run into a snowdrift can be killed with a club. A single native has been known to bring in as many as 150 skins of animals which he has killed in this fashion. He makes no attempt to use the meat. All he wants is the skin to sell at the store. This does not bring him very much, for it is a winter skin and therefore not very desirable by the dealer. This all can be corrected by prohibiting the exportation of deer hides from Alaska. The native will have no incentive to kill deer simply for their hides. The hides of those which he kills for himself or to sell he can make use of for his own moccasins and other articles of clothing which he uses.

The SPEAKER. The question is on agreeing to the amendments recommended by the committee.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The amendment to the title recommended by the committee was agreed to.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONTESTED-ELECTION CASE—JAMES A. WALKER AGAINST WILLIAM F. RHEA, OF VIRGINIA.

Mr. WEEKS, from Committee on Elections No. 3, made a privileged report of the contested-election case of James A. Walker against William F. Rhea, of Virginia; which was ordered printed, and referred to the Committee of the Whole House.

#### CUBAN RECIPROCITY.

Mr. PAYNE. Mr. Speaker, the Committee on Ways and Means had printed 500 copies of the hearing upon reciprocity. These volumes have all been exhausted, and there is a great demand for additional copies. I therefore ask that 1,000 copies be printed.

The SPEAKER. The gentleman from New York, chairman of the Committee on Ways and Means, asks unanimous consent that 1,000 copies of the hearings on the Cuban bill be printed for the use of the House. Does the gentleman from New York indicate to what room it shall go—to the document room or the folding room?

Mr. PAYNE. To the document room.

The SPEAKER. The copies to go to the document room. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba.

Mr. TAWNEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. Under what rule of the House does the chairman of the Ways and Means Committee call up this bill and move that the House resolve itself into Committee of the Whole House on the state of the Union for its consideration?

Mr. PAYNE. It is a bill affecting the revenue.

Mr. TAWNEY. The title of the bill is "to provide for reciprocal trade relations." I simply want to know whether it is considered as a revenue bill—that is, whether it was called up on that ground or some other ground?

The SPEAKER. The gentleman from New York, chairman of the Committee on Ways and Means, called it up as a privileged report.

Mr. TAWNEY. On what grounds?

The SPEAKER. The bill has not been read to the House and the Chair can not state its provisions. The chairman of the Ways and Means Committee called it up as a privileged report.

Mr. PAYNE. The ground is that it is a bill affecting the revenue.

The SPEAKER. The Chair will call the attention of the gentleman from Minnesota to Rule XI, clause 59, which provides that the Committee on Ways and Means may report at any time on bills raising revenue; and it has been repeatedly held that that included bills affecting the revenue. So that under the decisions under that rule, the Chair is clearly of the opinion that the gentleman has a right to call up the bill.

Mr. TAWNEY. I only wanted to know under what particular rule or under what provision it is called up, and whether or not it is because it is a revenue bill?

Mr. ROBERTSON of Louisiana. Mr. Speaker, I make the point of order that that bill does not come under the provisions of the rule referred to by the Chair, and in making that statement I desire to know where, and at what time, and by whom this question is to be determined. It seems to me, Mr. Speaker, that—

The SPEAKER. What is the understanding of the Chair? Will the gentleman restate his point of order?

Mr. ROBERTSON of Louisiana. The point of order is that the purpose of the bill is not to raise revenue or reduce revenue.

The SPEAKER. The gentleman's point is that it is not a privileged report?

Mr. ROBERTSON of Louisiana. It is not a privileged question and therefore must be brought in by rule or in some other way got into the House, and not in the manner in which the gentleman is attempting to do it. The bill proposes to provide reciprocal trade relations with Cuba. The main purpose of the bill seems to be, from discussions that have been had heretofore, that the bill can not be amended in any way, shape, or form, and under that ruling, it seems to me, the question of reciprocity would be considered the main question; that it is not a bill to raise revenue, which the rule specifically refers to in matters of that kind.

The SPEAKER. The Chair has already decided this question on the point raised by the gentleman from Minnesota.



Mr. ROBERTSON of Louisiana. I did not understand that the gentleman from Minnesota made the point of order.

The SPEAKER. He made a parliamentary inquiry, and upon that the question was decided. The Chair will call the attention of the gentleman from Louisiana to a line of decisions where it has been held again and again that matters affecting the revenue are privileged under Rule XI.

Mr. NEWLANDS. Mr. Speaker, I would like to ask a question. When this bill was under consideration in the Ways and Means Committee, amendments to the general revenue were offered and declared by the chairman not to be germane to the bill. Now, I ask if this bill is privileged—

The SPEAKER. The Chair will state that the House has nothing to do with what occurred in committee. What is the question the gentleman wishes to ask?

Mr. NEWLANDS. I will ask the Chair whether it will be in order to offer an amendment to this bill affecting the revenue?

The SPEAKER. The Chair can not decide questions until they come before the Chair, and this is a matter that will come before the Committee of the Whole House on the state of the Union. The question is on the motion of the gentleman from New York, that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. ROBERTSON of Louisiana. One more inquiry, Mr. Speaker, in regard to the time of debate and consideration of this question. I would be glad if the Chair would inform me whether this is the time to consider that matter—whether it should be done in the House.

The SPEAKER. It can only be done now by unanimous consent.

Mr. ROBERTSON of Louisiana. It can be done in Committee of the Whole, can it not?

The SPEAKER. By unanimous consent.

Mr. ROBERTSON of Louisiana. And at what time can it be done?

The SPEAKER. It can be done in the House upon motion, and in Committee of the Whole by consent.

Mr. ROBERTSON of Louisiana. Then, Mr. Speaker, I would like to move—

The SPEAKER. It can not be done by motion until after general debate.

Mr. ROBERTSON of Louisiana. Then, if this is the time to consider the question, I ask unanimous consent that the general debate on this bill continue until Wednesday next, to-morrow week; that at that time the House continue its discussion under the five-minute rule until its consideration is finished, and then that the time be fixed for a vote upon the question.

Mr. PAYNE. Regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded. The question is on the motion that the House resolve itself into Committee of the Whole on the state of the Union.

Mr. ROBERTSON of Louisiana. I asked for unanimous consent—

The SPEAKER. The gentleman from New York [Mr. PAYNE] has demanded the regular order, which cuts off the power of the Chair to submit the request for unanimous consent.

The question was put on the motion to go into Committee of the Whole House on the state of the Union.

The SPEAKER. The yeas appear to have it.

Mr. McCLELLAN. Division.

The House divided; and there were—yeas 107, yeas 102.

Mr. FORDNEY. I call for tellers.

Mr. UNDERWOOD. Let us have the yeas and nays.

The SPEAKER. The question is on ordering the yeas and nays. Those in favor of ordering the yeas and nays will rise. [A pause.] Evidently a sufficient number; and the yeas and nays are ordered.

The question was taken; and there were—yeas 177, nays 80, answered "present" 16, not voting 82; as follows:

## YEAS—177.

Acheson,	Burton,	Dovener,	Greene, Mass.
Adams,	Butler, Pa.	Draper,	Grow,
Adamson,	Caldwell,	Driscoll,	Hanbury,
Alexander,	Candler,	Emerson,	Haugen,
Allen, Me.	Cannon,	Evans,	Hay,
Babcock,	Clark,	Finley,	Hedge,
Ball, Del.	Cochran,	Fitzgerald,	Hemenway,
Bartholdt,	Connell,	Fleming,	Henry, Conn.
Bates,	Conner,	Foss,	Henry, Miss.
Bingham,	Cooper, Wis.	Foster, Vt.	Hill,
Boutell,	Cousins,	Fox,	Hitt,
Bowie,	Cramer,	Gardner, N. J.	Howard,
Brantley,	Crowley,	Gibson,	Irwin,
Brick,	Crumpacker,	Gill,	Jack,
Brownlow,	Currier,	Gillet, N. Y.	Johnson,
Bull,	Curtis,	Gillett, Mass.	Jones, Va.
Burk, Pa.	Dalzell,	Goldfogle,	Ketcham,
Burke, S. Dak.	Davidson,	Gooch,	Kluttz,
Burkett,	De Armond,	Graff,	Knapp,
Burleigh,	Dinsmore,	Graham,	Knox,
Burnett,	Douglas,	Green, Pa.	Kyle,

Lacey,	Mondell,	Ray, N. Y.	Stewart, N. Y.
Landis,	Moody, Mass.	Reeder,	Storm,
Lassiter,	Moody, N. C.	Reeves,	Sulloway,
Latimer,	Moody, Oreg.	Reid,	Sulzer,
Lawrence,	Moon,	Rhea, Va.	Swanson,
Lessler,	Morgan,	Richardson, Tenn.	Taylor, Ala.
Lever,	Morrell,	Rixey,	Thayer,
Lewis, Pa.	Moss,	Robb,	Thomas, Iowa
Lindsay,	Mudd,	Roberts,	Tirrell,
Littauer,	Olmsted,	Robinson, Ind.	Tompkins, N. Y.
Little,	Otjen,	Ruppert,	Tongue,
Livingston,	Padgett,	Russell,	Underwood,
Lloyd,	Palmer,	Ryan,	Vandiver,
Long,	Parker,	Salmon,	Vreeland,
Loudenslager,	Patterson, Pa.	Scott,	Wachter,
McCall,	Patterson, Tenn.	Selby,	Wadsworth,
McClellan,	Payne,	Sherman,	Wanger,
McLain,	Pearre,	Sibley,	Watson,
Maddox,	Perkins,	Sims,	Williams, Ill.
Mann,	Pierce,	Small,	Williams, Miss.
Martin,	Pou,	Smith, Iowa.	Wilson.
Mercer,	Powers, Me.	Snodgrass,	
Mickey,	Powers, Mass.	Southwick,	
Miller,	Pugsley,	Sperry,	

## NAYS—80.

Allen, Ky.	Davey, La.	Kehoe,	Richardson, Ala.
Aplin,	Davis, Fla.	Kern,	Robertson, La.
Ball, Tex.	Dayton,	Kleberg,	Shafroth,
Bankhead,	Esch,	Littlefield,	Shallenberger
Bartlett,	Feely,	Loud,	Smith, Ill.
Bell,	Fletcher,	McCleary,	Smith, Ky.
Bishop,	Fordney,	McCulloch,	Smith, H. C.
Bowersock,	Gaines, W. Va.	Marshall,	Smith, S. W.
Breazeale,	Gardner, Mich.	Metcalf,	Smith, Wm. Alden
Broussard,	Gilbert,	Meyer, La.	Sparkman,
Brown,	Glenn,	Miers, Ind.	Stark,
Burgess,	Griffith,	Minor,	Stevens, Minn.
Burleson,	Griggs,	Morris,	Sutherland,
Butler, Mo.	Hamilton,	Napen,	Tawney,
Clayton,	Hepburn,	Needham,	Taylor, Ohio
Conry,	Hooker,	Newlands,	Weeks,
Coombs,	Hughes,	Norton,	Wheeler,
Corliss,	Jenkins,	Otey,	White,
Cushman,	Jones, Wash.	Prince,	Woods,
Darragh,	Kahn,	Randell, Tex.	Zenor.

## ANSWERED "PRESENT"—16.

Benton,	Cooper, Tex.	McRae,	Rucker,
Boreing,	Hull,	Mahon,	Showalter,
Bromwell,	Jackson, Kans.	Mutcher,	Skiles,
Capron,	Lewis, Ga.	Overstreet,	Tate.

## NOT VOTING—82.

Barney,	Edwards,	Kitchin, Wm. W.	Slayden,
Beidler,	Elliott,	Lamb,	Snook,
Bellamy,	Flood,	Lanham,	Southard,
Belmont,	Foerderer,	Lester,	Spight,
Blackburn,	Foster, Ill.	Lovering,	Steele,
Blakeney,	Fowler,	McAndrews,	Stephens, Tex.
Bristow,	Gaines, Tenn.	McDermott,	Stewart, N. J.
Brundidge,	Gordon,	McLachlan,	Talbert,
Calderhead,	Grosvenor,	Mahoney,	Thomas, N. C.
Cassel,	Hall,	Maynard,	Thompson,
Cassingham,	Haskins,	Neville,	Tompkins, Ohio
Cooney,	Heatwole,	Nevin,	Trimble,
Cowherd,	Henry, Tex.	Ransdell, La.	Van Voorhis,
Creamer,	Hildebrandt,	Robinson, Nebr.	Warner,
Cummings,	Holliday,	Rumple,	Warnock,
Dahle,	Hopkins,	Scarborough,	Wiley,
De Graffenreid,	Howell,	Schirm,	Wooten,
Deemer,	Jackson, Md.	Shackleford,	Wright,
Dick,	Jett,	Shattuc,	Young.
Dougherty,	Joy,	Shelden,	
Eddy,	Kitchin, Claude	Sheppard,	

So the motion of Mr. PAYNE to go into Committee of the Whole was adopted.

Mr. DRISCOLL. Mr. Speaker, when the name of the gentleman from New York [Mr. BRISTOW] was called, I, in the confusion, mistook it for my own name and answered "aye." Subsequently, when my own name was called, having discovered my mistake, I voted. I wish now to have the error corrected by which Mr. BRISTOW is recorded as voting. I understand he is not present.

The SPEAKER. Upon the statement of fact just made by the gentleman from New York [Mr. DRISCOLL], it seems clear that the vote of Mr. BRISTOW, as recorded, should be stricken out, as he seems not to have been present, but by mistake his name was answered to by the gentleman from New York [Mr. DRISCOLL]. In the absence of objection, the vote standing in the name of Mr. BRISTOW will be stricken out.

There was no objection.

Mr. COOPER of Texas. Mr. Speaker, as I find I am paired with the gentleman from Indiana [Mr. STEELE], I desire to withdraw my vote, which was cast in the negative, and be recorded "present."

Mr. GREEN of Pennsylvania. Mr. Speaker, at the time I voted I understood that my colleague [Mr. MORRELL], with whom I have been paired, was not here; therefore I answered "present." I understand now that my colleague voted; therefore I desire to have my vote recorded in the affirmative.

The name of Mr. GREEN of Pennsylvania was called, and he voted "aye."



The Clerk announced the following pairs:

For the session:

Mr. YOUNG with Mr. BENTON.

Mr. BROMWELL with Mr. CASSINGHAM.

Mr. BOREING with Mr. TRIMBLE.

Mr. WRIGHT with Mr. HALL.

Mr. DEEMER with Mr. MUTCHLER.

Mr. HEATWOLE with Mr. TATE.

Until further notice:

Mr. MAHON with Mr. RANDELL of Louisiana.

Mr. STEELE with Mr. COOPER of Texas.

Mr. HULL with Mr. WILLIAM W. KITCHIN.

Mr. BARNEY with Mr. MCRAE.

Mr. SHOWALTER with Mr. SLAYDEN.

Mr. EDDY with Mr. SHEPPARD.

Mr. RUMPLE with Mr. THOMPSON of Alabama.

Mr. SKILES with Mr. TALBERT.

Mr. VAN VOORHIS with Mr. GORDON.

Mr. OVERSTREET with Mr. COWHERD.

Mr. CAPRON with Mr. JETT.

Mr. SHELDEN with Mr. SPIGHT.

Mr. SCHIRM with Mr. CLAUDE KITCHIN.

Mr. SHATTUC with Mr. RUCKER.

Until the 18th:

Mr. LOVERING with Mr. LEWIS of Georgia.

Until otherwise agreed:

Mr. GROSVENOR with Mr. SNOOK.

Until Wednesday:

Mr. JOY with Mr. CUMMINGS.

For the day:

Mr. BRISTOW with Mr. McDERMOTT.

Mr. WARNOCK with Mr. LAMB.

Mr. TOMPKINS of Ohio with Mr. CREAMER.

Mr. NEVIN with Mr. GAINES of Tennessee.

Mr. McLACHLAN with Mr. THOMAS of North Carolina.

Mr. HOLLIDAY with Mr. SHACKLEFORD.

Mr. HOWELL with Mr. SCARBOROUGH.

Mr. HILDEBRANDT with Mr. McANDREWS.

Mr. HASKINS with Mr. FOSTER of Illinois.

Mr. FOWLER with Mr. BRUNDIDGE.

Mr. FOERDERER with Mr. GRAFFSON of Nebraska.

Mr. DAHLE with Mr. DE GRAFFENREID.

Mr. DICK with Mr. BELMONT.

Mr. WARNER with Mr. MAHONEY.

Mr. CALDERHEAD with Mr. HENRY of Texas.

Mr. BEIDLER with Mr. MAYNARD.

Mr. BLAKENEY with Mr. NEVILLE.

Mr. CASSEL with Mr. BELLAMY.

For this vote:

Mr. SOUTHARD with Mr. DOUGHERTY.

Mr. BLACKBURN with Mr. STEPHENS of Texas.

Mr. HOPKINS with Mr. LANHAM.

Mr. STEWART of New Jersey with Mr. FLOOD.

Mr. JACKSON of Maryland with Mr. JACKSON of Kansas.

The result of the vote was announced as above recorded.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12755) to provide for reciprocal trade relations with Cuba, with Mr. SHERMAN in the chair.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. ROBERTSON of Louisiana. Mr. Chairman, will the gentleman from New York yield for one moment?

Mr. PAYNE. Yes.

Mr. ROBERTSON of Louisiana. I would like to ask the gentleman if there has been any agreement or determination as to the time or order of debate?

Mr. PAYNE. None whatever.

Mr. ROBERTSON of Louisiana. May I ask the gentleman if we could not now agree and come to some conclusion as to the length of time and the manner of the control of the time in the committee?

Mr. PAYNE. I will state that I endeavored to do so yesterday and was unable to do so. I think after we proceed to debate for a while we may make some arrangement, but we can not do it now.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. PAYNE. Certainly.

Mr. TAWNEY. Do I understand that the time is to be divided as usual and to be in the control of the Chair, in the absence of an agreement?

Mr. PAYNE. Certainly.

Mr. TAWNEY. Alternating one with the other?

Mr. PAYNE. The Chair will control that.

Mr. ROBERTSON of Louisiana. I understand that, but is it not unusual to proceed with a matter of this importance without some sort of determination as to the disposition of the time?

Mr. PAYNE. I will again say to the gentleman that I spent some time yesterday trying to make an arrangement. I was unable to make an arrangement with the various elements opposed to the bill, and I do not think it can be done at this moment.

Mr. SHAFROTH. Mr. Chairman, I ask unanimous consent that the time be controlled by the gentleman from New York—

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Colorado?

Mr. PAYNE. I will yield for that.

Mr. SHAFROTH. I ask unanimous consent, Mr. Chairman, that the time be controlled by the gentleman from New York in favor of this bill and against the bill by the gentleman from Louisiana [Mr. ROBERTSON].

Mr. PIERCE and others objected.

The CHAIRMAN. Objection is made. The committee will please be in order, and the gentleman from New York is recognized.

Mr. PAYNE. Mr. Chairman, our relations with the island of Cuba are peculiar. As we all know, they grow out of the Spanish war, a war for which I for one was by no means responsible, and which I opposed to the last moment, and only yielded to what seemed to be the almost unanimous sentiment of the House; but that war is over, and it has left us with these peculiar conditions. We undertook when we engaged in that war, and we have professed on every occasion since, that our main object was to give a stable, independent, and free government to Cuba. During the years that elapsed since Spain evacuated Cuba and surrendered the possession and sovereignty of those islands it has been the endeavor of the Administration, as it has been the constant endeavor of the Congress of the United States, to arrange a free and independent government for Cuba. To that end has been every line of legislation that we have passed upon the subject; to that end were the Platt amendments, which were passed, and which have been incorporated as a part of the constitution of Cuba.

Cuba has had an election; Cuba is about to have her officers inaugurated, and on the 20th of next month the United States is to retire from Cuba with the army that has occupied it, surrendering the civil and military government that we have had there into the hands of the officers chosen by the full and free vote of the people of the island of Cuba. We have spent millions of money and sacrificed thousands of lives to bring about this condition of affairs. We have done as much for Cuba as any nation ever did for those of alien blood. Still, in sight of the world, we are pledged to see to it that Cuba starts out with the best of auspices under the government which she has formed.

I do not say, Mr. Chairman, that we have not up to this present moment done our full duty and more to Cuba. I do not present here any sentimental claims on the part of Cuba for the action of the Congress of the United States. We are in the position of a guardian who has settled with his ward, paid over every dollar of the principal and the interest, and yet every guardian, be he a right-minded man, is interested when that ward goes out into the world to use every endeavor that he consistently can to make the career of that ward successful. And in this experiment, in establishing a new government for Cuba, it is the duty of the United States to do what we can to make the experiment successful.

When the war was over, after years of civil strife, the planters in Cuba had become involved in debt. When Spain left the island they saw their plantations devastated. Fire and sword had swept over the island. Many of the sugarhouses had been destroyed, many plantations had grown wild with weeds, and the production of sugar had dwindled down to some 200,000 tons per annum. The people went to work and tried to recuperate and to restore the old order of things so far as their commercial and industrial prosperity was concerned. They had to borrow money to build new sugarhouses; they had to borrow money to plant new sugar cane; they had to borrow money to care for those crops and bring them on to maturity.

They went to work with a will, and they need not be ashamed of the record they have made in the last three years—300,000 tons of sugar the first year after the war, about 600,000 tons the second year, and nearly 900,000 tons this year, the product of their work, their endeavors, and their struggles. They have done well in doing this, and yet they have not been able to lift the load of indebtedness that they had to incur to bring about this result.

And now, just as we are about to launch them forth in self-government, just as they are about to try this experiment, a new calamity comes to Cuba. It is one that is common to the people of the world. We consume in round numbers 10,000,000 tons of



sugar in the world, and through bounties in European countries and the stimulation and increase of sugar in those countries and in our own we find that there are 11,000,000 tons and over produced this year, a surplus of 1,000,000 tons of sugar.

The consequence is, the supply being so greatly in excess of the demand, the price of sugar has been forced down to a point lower than it has been in years; to a point about a cent lower a pound than it has averaged for the past few years. When it comes to Cuba, the price is down below the point where they can produce sugar at cost, let alone producing it at a profit. According to the evidence before the committee it costs 2 cents a pound to produce sugar in Cuba. I know there were two or three gentlemen who testified that they went there three years ago and examined among the planters and found out that they were producing sugar at from a cent and a half to a cent and three-quarters a pound, and yet it was uncontradicted in the evidence before the committee that wages in Cuba had increased in the last few years from 50 to 75 per cent, and as the cost of sugar is principally the cost of wages, it follows that the cost of producing sugar has increased in the last three years; and this only corroborates the statement of the gentlemen engaged in the production of sugar in the island when they say it can not be produced at less than 2 cents a pound.

On the 1st of January last the price of sugar in Cuba, free on board at Habana—and, by the way, this cost is free on board at Habana—was 1.5 cents per pound. Hence at that rate there was a loss of a half cent a pound on every pound of sugar produced in Cuba. This was what was staring them in the face when the appeal was made by General Wood in December last for aid for Cuba in this emergency. To be sure the price of sugar has somewhat advanced since that time, and it reached a point as high as \$1.81 per hundred free on board in Cuba. That is the highest point it has reached since the 1st of January, fluctuating to a little below that point and back to \$1.81. That meant a net loss of nineteen one-hundredths of a cent per pound on every pound of sugar of the present crop.

These planters in Cuba are obliged to go to the bankers and to the merchants for money and supplies to raise and harvest their crops. There are 196 centrals in the island of Cuba, great grinding establishments where the cane is brought from their plantations and from the smaller plantations called the colonos, and there ground up and boiled into sugar and shipped to the ports for the market. These 196 centrals are surrounded by hundreds of the colonos, nearly 16,000 of them in the island of Cuba, little planters having 5, 10, or 20 acres, who raise their sugar, carry the cane to the railroad or to the central, where it is finally accumulated and, as I say, ground and boiled into sugar. The usual arrangement between the colono and the central is that the colono produces the cane and receives for it half the sugar which the cane produces. To raise this cane costs about 50 per cent of the entire cost of producing the sugar free on board in Habana; so that it is a fair divide for the colono to have half the sugar his cane produces. They commence grinding the crop about the 1st of December, and the grinding season continues until about the 1st of May. They are still grinding cane in Cuba at this time, although they have ground the greater portion of the crop.

Now, the planters, large and small, are forced, in view of what occurred during the war, to borrow the money to care for the crop and to harvest it. This is the almost universal rule. The planter finds that he has invested a larger per cent of money in labor upon the crop than the crop of sugar he is raising will pay. Labor is employed in Cuba; labor is employed to-day, and at fair wages. They are building a railroad there that takes the surplus of labor. It is not a question of what has been done up to the present time for the laborers, although it may be a question as to how much these sugar planters are in debt to their laborers. Having to borrow money for the crop, and not having sufficient value in the crop to pledge for the money they borrow, the question is as to the future of those laborers. When the grinding is done, then comes the planting season. Fortunately in Cuba that is not so great an expense as it is in some other places, like Louisiana, for a planting there will last from five to ten and sometimes fifteen years without replanting, so that not more than 10 per cent, perhaps, of the whole area has to be replanted every year on an average.

The next thing in order is to keep down the weeds which grow with such terrific prolificness in the island of Cuba. They go through the plantations four or five times cutting down the weeds, and after that is done and the cane is high enough it shades the ground and prevents the growth of the weeds, and then they have no further labor until harvest; but so great is the labor in caring for the crop that it is worth one-half of the value of the sugar. And now, when this labor is just about to commence, the farmers and planters and colonos are anxiously looking forward to see where they can get the money to plant and care for the next year's crop. If they are obliged to sell the sugar at less than 2 cents a pound, they can not pay their debts, and where will they get their money for the next year's crop? As a writer

said, who has been through the island of Cuba at a recent date, the 20th of March:

While the masses of Cuba are not actually suffering from lack of food, the planters and business men are on the verge of collapse and bankruptcy, and are anxiously hoping for concessions in the United States tariff in order that they may receive new life and hope. The merchants have large sums of money trusted out and are not paying each other. They are simply holding each other up in the hope of obtaining relief, and if failures once begin they will run like wildfire.

Mr. TAWNEY. Will the gentleman state who the author of that is?

Mr. PAYNE. I can not state now; I will tell the gentleman afterwards.

Mr. TAWNEY. I wanted to know if it was Mr. Pepper, who has been writing articles to the Star, of this city.

Mr. HAMILTON. Was it in the hearings before the committee?

Mr. PAYNE. It was in a letter written by a man, whose name I have not at present, to a member of the House. I would give the gentleman the name, but I have not it with me. I included the statement in my report.

Now, Mr. Chairman, I would not add to the distress of Cuba. I know that some gentlemen are anxious to have Cuba annexed at once. I am not one of those gentlemen. The time will come when Cuba will be annexed to the United States, and when it does come I believe I shall have to do as I had to do in the Cuban war, bow to the inevitable, and Cuba will be annexed. You want it annexed at once—some of you do. The interest in the United States who are opposing this bill want it annexed at once, and free trade in every item of commerce that comes from Cuba to the United States. We have been professing that it was our endeavor and our solemn duty to give Cuba a chance for a free and independent government; and now, when we are about to establish a government, with ruin staring Cuba in the face, shall we sit idly by, supinely by, and do nothing to try to help Cuba in its effort for a government.

Mr. Chairman, I confess for one when I entered into this subject, and since I entered into it down to the present moment, I have looked to another question. That question was whether we could aid Cuba without injuring any industry of our own. I have had that steadily in view. Mr. Chairman, I have been a protectionist since I learned protection at my father's knee and read while a youth in Horace Greeley's Tribune his articles on protection. I studied protection at the committee table by the side of William McKinley and Nelson Dingley, when we together framed the McKinley bill; I studied protection in 1897, sitting at the right of Nelson Dingley, when we framed the Dingley bill, and if there is any principle of political economy that I have ever studied and learned to believe in, it is the principle of protection to American industries. I have seen the wonderful growth of this country under the protection of American industries. I would be the last man to strike down an American industry, fostered and prospering under the protection given it by the Republican party.

Mr. FORDNEY. And you are the first at this time to strike that very thing.

Mr. PAYNE. If the gentleman will ask me a question in an orderly manner, I will listen to him.

Mr. FORDNEY. I beg your pardon. I asked you if you were not the very first now to advocate striking at that very thing?

Mr. PAYNE. Not by any means, sir. I am standing by protection, and you are taking a course that would strike down the industry that you are assuming to protect. [Loud applause on the Republican side.] Why, gentlemen seem to think that there is something so sacred in every line of the Dingley bill that you can not alter a word in it without becoming a free trader.

Mr. BARTLETT. Mr. Chairman—

Mr. PAYNE. I think I will not be interrupted. There are several gentlemen who want to interrupt me, but I do not know how much time I will take. After I get through, if the House wants to ask questions and will listen to me, I will submit myself to cross-examination. [Laughter.] I had something to do, Mr. Chairman, with framing the sugar schedule in the Dingley bill, both in committee and in conference. That sugar schedule as presented to the House did not present exactly the same appearance that it presents now since it has become a law. It was altered in the Senate and changed in the committee of conference. As the bill left the House it provided a duty of 1.63 on 96° sugar, and as it appears to-day it presents a duty of 1.68½. That is not the whole story.

One object in framing the schedule was to produce revenue. Sugar is a good revenue producer. It strikes everybody that uses sugar, and it is a prolific producer. We knew we had got up past the limit of protection of the beet-sugar industry when we framed that schedule. When it left the House there was not a beet-sugar man in the United States that objected to the protection that was given in that schedule, and yet what was it? One and sixty-three hundredths subject to contingency. Why, the Republican



party started out on the idea of reciprocity in 1890, and section 3 was ingrafted into the McKinley bill providing for reciprocal trade relations; and when the committee and Chairman Dingley were making the sugar schedule of the Dingley bill we had a section 3 that provided that the President might make reciprocal trade relations with other nations, and when he did and proclaimed them a good deal after the manner as stated in this present bill, then that certain duties should be decreased, and one of the duties to be decreased was the duty on sugar, a reduction of 8 per cent, bringing the duty of \$1.63 down to \$1.50, providing reciprocal trade relations were made.

Now, every man in the House understood section 3 and understood the sugar duty. Every beet-sugar man in the United States understood section 3 and understood the duty of 1.63.

Mr. WM. ALDEN SMITH. There were mighty few of them then compared with the present time.

Mr. PAYNE. We will come to that later. Mr. Oxnard was one of them. Mr. Oxnard was here and he knew what was in the bill, and he did not protest, and no one protested, because they knew that the protection was ample, and more than ample, and that we made it high only to get revenue as well as protection out of that item. You voted for it.

Mr. WM. ALDEN SMITH. Yes; I voted for it.

Mr. PAYNE. You gentlemen all voted for it. It was a good Republican doctrine then, it was protection doctrine, it was Dingley protection, it was McKinley protection, and I stand for the same kind of protection here to-day.

Mr. WM. ALDEN SMITH. Mr. Chairman—

The CHAIRMAN (Mr. CAPRON). Does the gentleman from New York yield to the gentleman from Michigan?

Mr. PAYNE. I can not yield now.

Mr. WM. ALDEN SMITH. I would like to ask a question right there.

Mr. PAYNE. I shall have to decline. I do not know how much time I may get.

Mr. WM. ALDEN SMITH. There will be no disposition on our part to check it.

Mr. PAYNE. I decline to yield at present. Mr. Chairman, what does this bill propose to do? The tariff on sugar at 96 is 1.68½, and the bill proposes to take off 20 per cent. When we take off 20 per cent, it leaves 1.35—15 points less than the Dingley bill under reciprocal trade relations, fifteen one-hundredths of a cent less than that of the Dingley bill.

Now, they did not complain about the Dingley bill; they had no dread about that. They did not complain, because they knew it was more than sufficient protection. They had had experience under the Wilson bill; even with the 40 per cent ad valorem duty protection the first year under the Wilson bill the beet-sugar production in the United States was 20,000 tons, and the second year it was 30,000 tons, and the third year it was 40,000 tons. They knew something about protection. Of course, the price of sugar was higher, but the equivalent specific duty was not as high as we propose to leave it to-day on this sugar. Under that bill and under the workings of the ad valorem they doubled their production in three years.

Who says it is going to injure any American industry? Why, sir, they said, "You may reduce the duty 20 or 25 or 30 per cent, and it will not make any difference in the price of sugar in the United States until you have fostered the industry in Cuba to the point where the Cuban sugar growers will be able to produce all the sugar we import—2,000,000 tons or more annually—and then, of course, the importation will reduce the price in the United States; and not until then." How are they going to increase the importation next year under this bill to 2,000,000 tons? The labor in Cuba is all employed; they can not get labor enough to produce anything like 2,000,000 tons. It takes all their labor to produce the present crop—900,000 tons.

But the suggestion has been made "if you make this reduction of 20 per cent the sugar growers in Cuba will bring over Asiatic labor, and so increase the production of sugar by a resort to this lower rate of wages." But, gentlemen, we have guarded you on that point. We have been looking out for the protection of American industry all the time. And so we have incorporated in the bill as a condition precedent that the Cubans must pass and enforce contract-labor, exclusion, and immigration laws as exclusive as those of the United States. So that they can not introduce any Asiatic labor, and can not in that way increase the production of sugar. It can be increased in only a very small degree—so small as not to reduce the price of sugar in the United States. But what they may do in that direction can not take off a scintilla of protection which the sugar people now have.

Now, as to tobacco. No one pretends to claim that tobacco will not be amply protected, even if the 20 per cent should go off. So we say we are injuring no American industry if we make this 20 per cent reduction.

Will this aid the Cubans? It means thirty-four hundredths of

a cent per pound on their sugar, added to \$1.81 making a net price of \$2.15, beyond the cost of production, and fifteen hundredths of a cent profit for this year. If sugar should return to the normal price next year and advance a cent a pound, there would be a profit of 1.15 cents on their sugar. Will this help them?

We are told that the sugar trust is going to get the advantage of all that we take off of sugar. When those who make this claim are asked why, they say, "Because they will; because the sugar trust is the only customer for this sugar." Well, this is disputed. There is no doubt that the Arbuckles are running independently of the sugar trust and are buying raw sugar to meet them in the market. As to whether the National is doing the same thing depends upon the word of Mr. Post, who appeared before the committee, and to whose evidence there was very little contradiction.

But, gentlemen, let us go back a little way. How has it been about fixing the price of sugar by the sugar trust or anybody else in the United States in years that are past? The sugar market of the world is in Hamburg. The price of sugar is fixed in Hamburg for the port of New York. When sugar comes from Hamburg to New York the price is adjusted on the cost of transportation and the cost of our duty. Add these to the price of sugar in Hamburg and you have the price of duty-paid sugar in New York. Then the price of sugar coming from the Hawaiian Islands, or from Porto Rico, or from Cuba, or any other place in the world, is fixed according to that standard. Deduct from the price of the duty-paid sugar in New York the duty and the cost of transportation and you have the price of sugar in Habana Harbor.

Gentlemen, we have had experience in respect to this matter. We need not abandon ourselves to speculation or attempted prophecy. We have had experience along this line. We have had Hawaiian sugar free for years; and though the committee hunted diligently for the facts they could not find any proof to show that the Hawaiians had not received the full price for their sugar, duty free, coming into the port of New York, although the sugar trust during a portion of these years was omnipotent and had no rival refiners of any kind in the United States.

Mr. PIERCE. Will the gentleman allow me a simple question?

Mr. PAYNE. I would rather not.

Mr. PIERCE. I simply wanted to ask who pays the duty under the gentleman's statement—the foreigner or the American consumer?

Mr. PAYNE. On sugar? That is a very easy question, my friend. I think the American consumer pays it.

Mr. PIERCE. That is what you have been denying all the time. You have been insisting that the foreigner paid it.

Mr. PAYNE. Every protectionist knows that when we put a tariff duty on an article not produced here in sufficient quantity to satisfy our markets, so as to create competition among ourselves, the duty is added to the price.

Mr. WM. ALDEN SMITH. If the volume is large enough.

Mr. PAYNE. If the volume is large enough to affect the price here in the United States by way of competition. Yet that is not always true. We put a duty of 10 cents a pound upon tea. We did not produce any tea; still, it was proved conclusively that the Japanese paid half of that duty in order to get into our market.

How much of that comes out of the foreigner on sugar, of course, I do not know; but my own opinion is that in the case of sugar the most, if not all, is paid by the consumer in the United States.

Now, to get back to what I was talking about. We made a reduction of 85 per cent in the tariff on sugar produced in Porto Rico. Some of us were afraid that we would have trouble, that the sugar trust would get the benefit of that reduction or a part of it. We passed the bill, and we have now a record of results. What does the record show? Why, sir, the people in Porto Rico are getting the benefit of that reduction. When their sugar comes into the New York market it sells there at the market price of sugar—the world's market price—deducting only the cost of transportation from Porto Rico to New York.

Some gentlemen have raised a quibble as between the price of Porto Rican sugar and Cuban sugar and German sugar, but when examination was made it appeared conclusively that the only difference in price arose from the difference in grades of sugar, one sugar being graded higher than another according to the productions of the different countries.

So in the past the planter has got the benefit of the reduction we have made on the sugar tariff. I would rather go to history than prophecy for facts, especially when the prophet is a zealous man bent on having his own way about a particular proposition. Why, Mr. Chairman, we made this reduction so light that the Cuban planter has got to have it in order to get out even and have a few dollars to spare. We did not put a reduction of 50 per cent on, or 100 per cent, because we did not wish to injure anybody in the first place, and we knew when we made it only 20 per



cent the planter would have a right to demand and receive the full benefit.

Now, such was the testimony before the committee, Mr. Chairman, and still I see that some of these numerous gentlemen, each one of whom publishes a pamphlet and distributes it around to the members for their information on this subject, refers to the testimony of Colonel Bliss, at page 392, and furnishes what Colonel Bliss says at that point, which I will read:

Mr. NEWLANDS. If that entire duty were taken off the Cuban sugar it would sell in our markets just as the Louisiana sugar and beet sugar does, would it not? Would there not be an increase?

Colonel BLISS. I am not an expert on that question and I do not like to answer. It appears to me that the question relates to the price that the Cuban producer would get, and I do not know what proportion of increase would go to him; I believe not more than 30 per cent.

Well, now, Colonel Bliss recurs to that question again at page 395, and I will read it:

Mr. METCALF. Colonel, coming back to an answer given by you a short time ago, if Congress remits the present duty on sugar, will it not tend to continue the large estates?

Colonel BLISS. So far as the question relates to sugar alone, undoubtedly it will. I want to qualify that statement, however. The tendency in Cuba now is, and has been ever since I have been there (how long before that I do not know), to increase largely the number of the colonos, the men with a few acres of land who grow cane, or the men who have land which they devote to other purposes, with here and there a patch of it which grows cane to advantage.

The tendency is more and more toward the establishment of centrals, buying cane at the best price they can get it from the small planter. I think the first effect of any reciprocity that would affect Cuba at all is going to be shown in the improved condition of the colono and the laborer. So soon as the mill owner finds that it is more profitable to make sugar he will immediately reach out and bid for this man's cane and that man's cane, in competition with other mill owners doing the same thing; and they will bid it up to the limit, beyond which they can not go without losing whatever profit the concession gives them.

In the same way, as there is certainly no waste labor in Cuba at this time, and probably will not be for the next season of cultivation, the colono will reach out and bid for this man's labor and that man's labor in order to make as much cane as he can. In short, the mill owner will compete for the cane in order to make all the sugar that he can, and the colono will compete for labor in order to grow all the cane that he can.

I think, and most of the Cubans to whom I have talked agree with me, that if you were to give 50 per cent off, or 33 per cent, or whatever you give, probably not more than 30 per cent at the very most would go to the planter, and the rest of it, whatever did not stay in the United States, would go to the laborer and the colono, the man who cultivates small fields of cane.

Now, that is the opinion of Colonel Bliss, based on his observation in Cuba as to the division that would be made between the planter and the colono in Cuba. He did not know what would be retained in the United States. He was not a prophet. He had not studied the history of what had been done with Porto Rico and Hawaii. He says, "I am not an expert on this subject and I do not like to express an opinion;" and the gentlemen are welcome to what they get out of Colonel Bliss's statement in view of the whole, the unanimous evidence of every other witness upon this subject.

So I say, gentlemen, I have no fear that this money will go to the sugar trust in case we make this reduction. Why, Mr. Chairman, who holds the sugar now? Who holds it to-day, or yesterday, because I have returns up to the 7th day of April? In March I made a request of the Department to find out from Governor Wood where the crop was. One paper, claiming to be respectable, had published a telegram from another paper, generally known as one of the "yellow journal" stripe, saying that the sugar trust had bought up the entire crop in Cuba. It was immediately denied, but I wanted to get at the facts, and Governor Wood sent out letters of inquiry to every planter in Cuba—194 of them, sugar centrals—and he received up to the 2d day of April 126 answers. He also telegraphed to 36 Cuban banking firms, and he has received replies from the 36. He found that up to that date there had been ground 584,259 tons of sugar. He found that there were held at the option of the American Sugar Refining Company 3,285 tons; held at the option of other American purchasers, 2,285 tons; exported to the United States, 25,646 tons. He says:

All sugar above mentioned, except that at the option of the American Sugar Refining Company and other American purchasers, is in the hands of Cuban planters and Cuban and Spanish commission houses doing business in the island of Cuba, and is not at the option of anyone. Where held as security for loans advanced to planters, the planters will get the advantage of any rise in the price under conditions of deposit, as is the custom in the island. This statement shows conclusively the absolute falsity of the declaration that the sugar trust has control of a considerable portion of Cuban sugar. I expect other statements will be sent as soon as possible.

That is signed by Governor Wood.

Mr. SHAFROTH. Will the gentleman yield for a question? Will the gentleman not concede that by the time this bill passes the Senate, if it takes the usual course—

Mr. PAYNE. I will come to that a little later. Do not ask such questions as will lead me off the subject I am discussing. You know one man can make a speech better than half a dozen, even though the half dozen are sharper than the one.

Mr. SHAFROTH. But the question is, in whose hands it would be at the time of the passage of the bill.

Mr. PAYNE. We will get to that by and by.

Now, Mr. Chairman, I have an additional statement, bringing it down to the 7th of April, the reports from 10 more centrals. In this statement it appears that 24,755 tons have been ground in these establishments. General Wood says:

The increase above mentioned is in the hands of planters and Cuban and Spanish commission houses doing business in the island, with the exception of 3,388 long tons exported to the United States; none at option of the American Sugar Refining Company nor other American purchasers. When held as security for loans, planters to get advantage of rise in price, as stated in telegram of 2d instant.

Now, Mr. Chairman, that shows that up to the present date about 30,000 tons of sugar have been shipped to the United States. Last year at the corresponding date there had been shipped 200,000 tons to the United States. The total production of sugar last year sent to the United States was 490,800 tons, so that more than two-fifths of it had been shipped to the United States up to the corresponding date last year, and this year only 30,000 tons. What is the reason of that? Why, simply because these men are looking to Congress for a reduction of the duty, and like men everywhere, seeing a dollar in sight, they are doing their best to be in a position to get hold of it when the time comes.

Now, I am asked, Mr. Chairman, if, when this bill goes through the Senate, that will still be the situation. Now is the time for them to have sent two-fifths of their crop, or 350,000 tons. They have actually sent 30,000 tons. They have held on until now because everybody interested in that sugar is concerned in holding on to it until the last moment. The men who loaned the money are interested in holding on to it. They want these sugar people to go on and have their crop next year. They know they will come to them to borrow money. They want to keep them in condition so they can raise a crop next year. Every interest in the island is concerned in holding on to that sugar.

Now, gentlemen want to know when the Senate will pass this bill. I give it up. I do not know when the Senate will pass this bill. We will get it through the House as soon as we can. If we do not have too many roll calls on the question of going into the Committee of the Whole and delays of that kind, and if we can get along without too much debate, we will get it over to the Senate in ample time. I understand it is the disposition there to take it up at once. There is no reason why it should not be a law before the 20th day of May, when this Cuban government goes into operation. Having held on to all but 30,000 tons of it until now, it does not require a prophet or the son of a prophet to foresee that they will still hold on to that sugar until the time comes that this reciprocal agreement shall go into effect.

Mr. WM. ALDEN SMITH. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. PAYNE. Yes.

Mr. WM. ALDEN SMITH. I desire to ask whether when you make the statement that all the parties interested in Cuban sugar are holding it awaiting the action of Congress you also include their principal customer in this country, the sugar trust?

Mr. PAYNE. Why, Mr. Chairman, I have not any doubt but what the sugar trust is guided by business men as eminent in their profession and business as my friend who interrupts me with this question. I have not any doubt as to their grasping propensities. I shall not institute any comparison with my friend on that point, because that would be impolite and odious.

Mr. WM. ALDEN SMITH. I have examined—

Mr. PAYNE. Oh, I have examined their testimony, too.

Mr. WM. ALDEN SMITH. I have examined their annual report just filed.

Mr. PAYNE. Well, I have examined their annual report. I think I know as much about the sugar trust as the gentleman does.

Mr. WM. ALDEN SMITH. I hope you know a great deal more.

Mr. PAYNE. I think I have fought them as long as the gentleman has, and I shall continue to fight them as long as I am able to fight. I want the gentleman to understand that. But when I see a chance to confer a great benefit without injuring anybody, I am not going to be driven from giving the share on 850,000 tons to the people in Cuba because I fear the sugar trust may get some of it on the 30,000 tons that have come to the United States. I am not such a fool in fighting trusts as to come to any such proposition as that.

Mr. WM. ALDEN SMITH. I do not believe the gentleman would aid the sugar trust intentionally, but their last annual report, if you will permit me to say, discloses strange facts—

Mr. PAYNE. No; I will not permit you to say anything of that kind in my time now.

Mr. WM. ALDEN SMITH. Will you let me finish that sentence?

Mr. PAYNE. I do not care what their annual report does. I know what it is.

Mr. WM. ALDEN SMITH. Perhaps the House wants to know.

Mr. PAYNE. Oh, in your own time you may state all that Mr. Havemeyer has ever said, or talk about something else that is not relevant to this question. You may discuss that as much as you please. I propose to discuss the question before the House.

Mr. WM. ALDEN SMITH. You are avoiding that clearly.

Mr. PAYNE. That question is not here.

Mr. WM. ALDEN SMITH. It ought to be here.

Mr. PAYNE. Well, there is a difference of opinion, and I am making the speech.

The CHAIRMAN. The gentleman from New York refuses to yield.

Mr. PAYNE. Now, Mr. Chairman, how much will this cost the Treasury of the United States. Last year, ending June 30, 1901, we collected \$27,000,000 in duty on goods coming from Cuba, \$18,000,000 on sugar and \$9,000,000 on other products, largely tobacco. This year on the present crop the full duty would be about \$41,000,000. We take off 20 per cent, that would make \$8,200,000 of loss of revenue, and that loss of revenue goes to the people of the island of Cuba, to the people we have been trying to set up in government, a people whom we are trying now to save from certain bankruptcy.

Mr. LITTLEFIELD. You say it is \$8,000,000 on sugar alone?

Mr. PAYNE. The total is \$8,000,000.

Mr. LITTLEFIELD. On sugar \$8,000,000?

Mr. PAYNE. About \$7,000,000 on sugar. The rest was on tobacco and other products; but all coming from the island of Cuba.

Mr. LITTLEFIELD. The whole reduction aggregating about \$8,000,000?

Mr. PAYNE. Yes. The calculation was made on the estimated crop, and this report of General Woods confirms the estimate, but in my judgment it looks more like 900,000 tons instead of an 850,000-ton crop. Of course we may be getting the large-sized centrals, so many have reported and others have not.

Now, Mr. Chairman, I want to show to those gentlemen how much the Republican party have been engaged in changing the sugar schedule. In 1861 we made it 5 cents; in 1862, 4 cents; in 1864, 5 cents; in 1870, 4 cents; in 1874, 5 cents; in 1883, 2½ cents and 3½ on refined, and in 1890 one-half cent on refined and a bounty of 2 cents on raw sugar, so that we have not always regarded it as sacred.

Mr. WM. ALDEN SMITH. We did not have any beet-sugar industry then.

Mr. PAYNE. Oh, we had a beet-sugar industry away back in the eighties, and we had cane sugar after the war was over.

Mr. WM. ALDEN SMITH. Oh, I know that.

Mr. PAYNE. I only wanted to call it to mind. Of course you know it.

So, Mr. Chairman, the committee found a way to help Cuba, injuring no American industry and strictly in the line of Republican doctrine and the Republican platform. We have been preaching reciprocity since 1890. We put the same in the platform of 1896, and we put in these other things written there. Now, I am not so hidebound upon the subject of platforms as some of my friends. I know how they are made. They are written in one night, on the judgment of a half dozen men.

Legislation like the Dingley bill is written out after three, four, or five months of hard labor by men who have investigated every phase of the subject, and when they get through with it they are experts on the subject. That is the difference between a platform and a bill. What is of more significance to me is that the Ways and Means Committee should report a bill here for a reduction almost like the one we are making, to hold out not only to Cuba, but to every country, reducing the whole tariff on sugar to reciprocal countries, that would give us all the sugar that we could consume. It is more to me that a committee, on mature judgment, should put such a clause in the bill, when it is a Republican House, by Republicans, than that some man should put it in a platform. But reciprocity is in the platform.

Reciprocity is a Republican argument, and this is reciprocity on a basis that hurts no American industry. What do some of these gentlemen propose? We do not make reduction enough to suit them. They want a reduction of the duty on refined sugar in the interest of the beet-sugar industry. The beet-sugar product at the factory is refined sugar, and every pound of refined sugar that comes into the United States at a lower rate of duty goes into direct competition with beet sugar in the United States. They want that. We propose reciprocity, on the one hand, without lowering the price of sugar in the United States. They are not satisfied with that. They want to include in the bill a lower rate of duty on refined sugar from all countries on the earth and reduced prices of sugar as much as you lower the duties. That is the answer that is made to this bill.

Mr. Chairman, the bill is limited to the present sugar crop.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent that the gentleman may continue and conclude his remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from New York may continue and conclude his remarks. Is there objection?

Mr. BALL of Texas. I do not intend to object, but I hope that the gentleman who is at the head of this great committee will answer a question or two before he concludes.

Mr. PAYNE. If my time is to be extended, and if I can get through one sentence without interruption, I shall have no objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTLETT. Will the gentleman, before he proceeds, permit me an interruption upon the line upon which he has just concluded?

Mr. PAYNE. Yes.

Mr. BARTLETT. The matter I am interested in more than anything else is what effect this bill will have upon the price of sugar to the American consumer.

Mr. PAYNE. The universal testimony before the committee was that it would not reduce the price unless it was continued for such a length of time as to enable Cuba to supply the principal part of the imported sugar.

Mr. BARTLETT. This bill contains a provision that the reduction under it shall cease in December, 1903, and, as I understand the gentleman, that would not reduce the price of sugar to the consumer?

Mr. PAYNE. I think it would not. There is a production in the United States and in the islands of about 900,000 tons and in Cuba of about 900,000 tons, making 1,800,000 tons altogether; and the probable consumption of sugar in the United States will be during the next year 2,500,000 tons, so there will be about 700,000 tons that must be imported under full duties.

Mr. BARTLETT. May I ask the gentleman another question? Referring to the sugar trust, is it not a fact that the evidence before the Ways and Means Committee showed that the American Sugar Refining Company bought and refined and sold 90 per cent of the sugar that is used in this country?

Mr. PAYNE. That was not the evidence before the committee, but it was in evidence that Mr. Havemeyer had claimed before the Industrial Commission that that was the fact. This fact was disputed by Mr. Post before the committee.

Mr. BARTLETT. At the hearings before the Industrial Commission it is stated that Mr. Havemeyer said that his company refined and sold 90 per cent of the sugar.

Mr. PAYNE. I want to say to the gentleman that this is the precise fact: He was examined several years ago before a committee of the New York legislature, and he testified that he distributed and refined 90 per cent of all the sugar. Before the Industrial Commission he was asked that question and admitted that he had said so, but said he did not know how much they did refine, but he thought about 90 per cent now. Mr. Post, who is the president of the National Refinery, said that Mr. Havemeyer did not refine more than five-eighths of it. I leave it to those two gentlemen to determine which was right.

Mr. RANDELL of Texas. Will the gentleman permit an interruption?

Mr. PAYNE. Certainly.

Mr. RANDELL of Texas. The gentleman says that the price of sugar will not be reduced to the consumer. I would like to ask, for information, how much the revenue will be reduced?

Mr. PAYNE. On sugar?

Mr. RANDELL of Texas. How much will be the reduction of the revenue by the reduction in this bill?

Mr. PAYNE. Between six and seven million dollars on sugar.

Mr. RANDELL of Texas. Who gets the benefit of that reduction?

Mr. PAYNE. I have been trying to demonstrate that the people in Cuba get it. [Laughter.]

Mr. RANDELL of Texas. Another question on that line. If there is no competition in this country in reference to the purchase of raw sugar, how does the Cuban hope to get the increase of this price? Why can not the purchaser put it in his pocket?

Mr. PAYNE. The same conditions exist now that existed in reference to Hawaii and Porto Rico, except there is more competition now than there was in relation to Hawaii, as there was none then. There is competition by the Arbuckles and the National. Mr. Post claims that he is a competitor, but that is disputed; whether he is a competitor or not I do not know.

Now, if the gentleman will pay attention he will not have to ask the question again. In these cases the planters did get the full amount of it, and I believe they will in this. The sugar trust has got to have the sugar as much as the planter has got to sell it. If they do not buy it of them they must go to Germany, and if they go to Germany they must pay more for it, or they must take this sugar. Each one is independent of the other.

Now, Mr. Chairman, I was speaking about taking the differential



off from the refined sugar. Yesterday I received a telegram, as follows:

BINGHAMTON, April 7.

Use all honorable means to oppose tariff reduction on refined sugar.

J. E. ROGERS,

President Beet Sugar Company.

There is a man that understands his business, and he is not afraid to say so. I know there are others that have said the same thing, and I know why they have not made more fuss about it. I know the influences that have been at work upon them and the petitions and appeals that have been made to them.

Mr. Chairman, Cubans do not come to us in the attitude of beggars or mendicants. They do not come to us asking concessions without offering concessions in return. They are willing to give us their market and to buy their supplies of us in exchange for this reciprocity. Last year they bought some \$28,000,000 worth of us.

About thirty-eight millions were purchased from foreign countries. It is believed by General Wood, by Colonel Bliss, and other Americans there, and it is believed by leading Cuban merchants, that with a fair reciprocal agreement we can get the first year thirty millions of that balance which we do not get to-day. General Wood believes that their importations will speedily rise from sixty-seven millions to one hundred millions; and that if the thing could run on they could soon buy of us \$200,000,000 worth of goods—a chance for our farmers, for our merchants, for our manufacturers, for our mechanics, because the Cubans are willing to accept these little concessions which do not hurt us, and give us in exchange their trade. They are willing to impose these restrictions on immigration because they see that it is best for them and their country to do so. They are willing to make these reciprocal trade relations because they believe it will be to the mutual advantage of both countries.

Mr. WM. ALDEN SMITH. Whom is the gentleman quoting on this subject?

Mr. PAYNE. Oh, I am quoting a number of people; I can not name them all.

Mr. WM. ALDEN SMITH. You are not quoting the officers of the Government there, are you?

Mr. PAYNE. No, sir.

Mr. BALL of Texas. Is there anyone authorized to speak for the Cubans now?

Mr. PAYNE. I do not think there is.

Mr. BALL of Texas. The gentleman said that the Cubans are offering these things. He has pictured the distress in Cuba in case they refuse to accept this differential rate. Now, I ask, if they should make a tariff and decline to give the steel trust and the beef trust (saying nothing about the trusts in other articles) the benefit of that tariff, then the people there could not get the benefit of "reciprocal trade," and their country would become bankrupt, would it not?

Mr. PAYNE. I do not exactly understand the gentleman's question. Of course, if they do not accept the reciprocity which we offer them they will not get it.

Mr. BALL of Texas. I understood the gentleman to say that this measure was being passed in order to prevent bankruptcy in Cuba.

Mr. PAYNE. I say that if they do not accept it they will have to go their course. We are doing the best we can for them.

Mr. BALL of Texas. Then if they will not let the steel trust and the beef trust in they will have to starve?

Mr. PAYNE. I suppose the gentleman is satisfied now, and will sit down.

Mr. BALL of Texas. The gentleman seems to be satisfied, as head of the Ways and Means Committee, to decline to answer questions that gentlemen are entitled to ask.

Mr. PAYNE. I did answer the gentleman's question. I am sorry I could not address the understanding of the gentleman so that he could understand the answer. I answered the question as I understood it. If I did not understand it, I am the loser.

Now, Mr. Chairman, we have limited the operations of this bill, as I said half an hour ago, to the present crop and the next crop. One of the reasons for this limitation is the action of the recent conference at Brussels. That matter involves the question of the bounty to beet sugar. I shall not go extensively into the bounty question. Gentlemen all understand it—a high tariff and a high price for consumption in Germany, exportation under a direct bounty, and then a concealed or indirect bounty through the cartel system. England has complained of this because it has destroyed her refineries. Finally, a conference of the several governments interested was held at Brussels, and it was agreed that after the 1st day of September, 1903, all bounties on beet sugar should cease. This agreement will have to be ratified by the several governments before it will become binding upon them.

In view of the action of this conference we have limited the operation of this bill to the 1st day of December, 1903, giving an

opportunity to get all of the next year's crop, which is finally ground about the 1st of May, to market under the limitations and provisions of this bill. Whether that provision was a wise one or not, I am not here to say, but the reason for it will be found in that Brussels conference, and I sincerely hope that the agreement reached in that conference may be ratified, because I think it will make a difference in the price of Cuban sugar, as well as other sugar, in the hands of the producer, thus doing away with this government bounty.

As to whether the next year's crop will be sold at the normal price it is difficult to say. That being the last year of the bounty, the producers of beet sugar may be stimulated to get in as large a crop as possible while the bounty is in operation. But for that agreement I have no doubt that sugar would have returned to its normal price in the next year and would have increased nearly a cent a pound over the price of to-day.

Mr. SAMUEL W. SMITH. What per cent of the Cuban planters are among the poor people you speak of who need this 20 per cent help?

Mr. PAYNE. Well, there are 196 centrals, and there are between 16,000 and 17,000 planters, so it would seem that nearly all of them were the small planters. But it is not for the small planters alone; it is for the laborer. Cut off the supply, cut off the money to pay the laborer, and you create discontent, and down there in that hot climate among those people who are passionate always how easy it is to kindle a fire of insurrection and insubordination to overthrow the government set up and to compel us to intervene for good order in Cuba.

Gentlemen, it is a thing that I do not wish to contemplate. I want to do all I can, and I have labored to do what I could to bring relief to the situation in Cuba and relief to these Cubans in this hour of their greatest trial in setting up a government, in this hour of their greatest emergency; and it is a broader question than the question of reciprocity and the question of trade.

We have become so linked to the Cuban people that our destiny can not well be separated from theirs. We have taken Porto Rico; we have given them a good government; we brought prosperity to that island such as was never dreamed of before in all its history. It is a near neighbor of Cuba. The Cubans are looking upon our experiment there. The most intelligent of them are looking toward annexation with the United States. They may come in a year; they may come in five years. When they come I pray God they will be in no worse condition than they are to-day. If we can keep out this horde of immigrants, if we can keep out this cheap labor from the East, if we can keep out undesirable labor as we are keeping it out in our own country, and enable them to build up their industries, diversified industries in that island, finding their principal market in the United States, it is a consummation devoutly to be wished.

Mr. LLOYD. Mr. Chairman, I would like to ask the gentleman a question. The gentleman spoke a moment ago of the conditions in Porto Rico being so favorable now that they were more prosperous than ever in the history of the past. I want to know why it would not be well to treat Cuba as you treat them and give them a free-trade relation?

Mr. PAYNE. Well, the gentleman does not seem to know that Porto Rico belongs to us and Cuba does not. That is the only reason.

Mr. LLOYD. I appreciate the fact that Porto Rico is now a part of us, and I see very clearly that the disposition here is not to treat Cuba as if it ought to be a part of us.

Mr. PAYNE. Well, that is a question for the gentleman, of course. Cuba is not a part of us. I am not anxious that she should be a part of us, but I think without question she will be; and, preparing for that day, I want to do the best I can for Cuba, with due regard for our own people.

Why, Mr. Chairman, we hear a great deal about the cost of the sugar beet and the cost of producing beet sugar. I was talking only a few days ago with one of the most intelligent producers of sugar beets in the United States. I said to him: "From what I know of the industry, from what I know of your being able to take care in the near future of the by-products, which ought to bring you three-quarters of a cent a pound on every pound of sugar you produce, I expect you to produce sugar in the United States, granulated sugar ready for the market, at 2 cents a pound."

He replied: "Well, Mr. PAYNE, you are a little more sanguine than I am, but if you had said 2½ cents a pound I would say you were clearly within bounds."

Now, Mr. Chairman, my idea was to give rest and quiet to the beet-sugar industry. It is threatened by what? By the results of the Spanish war—by the threatened annexation of Cuba. It threatens free sugar from Cuba, and if any country on earth can compete with American beet sugar, it is Cuba. It is threatening to come upon you at once. I seek to put it off. I seek to put the question to sleep and at rest for a few years, and with this 20 per cent reduction let the beet-sugar industry march on to its final

triumph. But instead, you say "No, let the agitation go on; put it off till next December; send a commission down there and let the agitation go on." And it is agitation that is threatening your industry. Is it not much better to have the 20 per cent reduction and have it understood, as it would be, that that is the only reduction to Cuba until Cuba comes in? Then the sugar industry would go on in rapid strides, as it has in the last two or three years.

Mr. HENRY C. SMITH. Will the gentleman permit a question?

Mr. PAYNE. Oh, yes.

Mr. HENRY C. SMITH. Was there any disturbance of the beet-sugar interest until this agitation was proposed?

Mr. PAYNE. Oh, certainly; it has been disturbed ever since we had the war with Spain. Why, how they hollered when we proposed to put 15 per cent on Porto Rico instead of the full Dingley rate. The beet-sugar men were frightened to death for fear of their industry, and yet that country only produced 120,000 tons of sugar in a year. Frightened! Yes, ever since the Spanish war closed and those countries were annexed to the United States. I would save your beet-sugar industry. I am a better friend of it than you are, because I dare to say to them as I say to you, and as they admit, that this 20 per cent reduction does not hurt their industry. By that reduction I would save them from the danger of a larger reduction and full free trade with Cuba.

Mr. HENRY C. SMITH. How many more such friends does the gentleman think the beet-sugar industry could endure? [Laughter.]

Mr. PAYNE. Oh, well, the gentleman is new here. I have fought for the beet-sugar industry before I ever heard of the gentleman or knew anything about him.

Mr. HENRY C. SMITH. I will survive if the gentleman does not think of me at all.

Mr. PAYNE. The gentleman woke up about the time that a beet-sugar factory was established in his district, or in an adjoining district, and then he thought everything revolved around beet sugar. I have a beet-sugar factory in my own district. Every ton of beets used in that factory is raised in my district. There is a factory in the adjoining district, where one of the counties in my district sends the beets that it raises. It is a question with my constituents about beet sugar. I know how they feel about it. They are on their second year. Their sugar cost them  $4\frac{1}{2}$  cents a pound, and that is all they got for it the second year. They are hopeful. They know what the people have done in Michigan on the third year. They are looking for 6 and 12 per cent dividends, and they know about this 20 per cent reduction, and they accept that, because they do not want the full free trade that you are trying to force on them.

Mr. GARDNER of Michigan. May I ask the gentleman a question?

Mr. PAYNE. Yes; certainly.

Mr. GARDNER of Michigan. You stated a few moments ago that your arguments were in line with Republican doctrine and Republican precedent, if I remember rightly. I should like to ask if it has been the practice of the Republican party in this House to reduce the revenue on competing goods when an industry was seeking to establish itself?

Mr. PAYNE. Well, I will refer the gentleman to the Dingley bill as it passed the House, and let him read it through.

Mr. GARDNER of Michigan. Oh, no; I have not time to read that now.

Mr. PAYNE. Well, it was so provided in the Dingley bill. If the gentleman had been here he would have voted for it as every other Republican did.

Mr. GARDNER of Michigan. Did you seek to reduce the duty on tin plate, on steel, on hides, on leather, on wool, on any of the things where we were competing to establish a successful industry?

Mr. PAYNE. If the gentleman will study the Dingley bill he will find that we did reduce the duty on a great many of the items he has mentioned and on a great many others that he did not mention.

Mr. GARDNER of Michigan. But we have had tariff bills before the Dingley bill.

Mr. PAYNE. The gentleman does not seem to appreciate the situation. We are not reducing the duty on sugar 20 per cent to all the world, and thereby reducing the price and starting up competition. We are reducing it on what we receive from Cuba, which your friends say will not reduce the price, and hence will not start competition.

Mr. GARDNER of Michigan. That is not the point I have in mind.

Mr. PAYNE. Well, that is the point I have in mind. [Laughter.]

Mr. GARDNER of Michigan. The gentleman will see my point later.

Mr. WM. ALDEN SMITH. Will the gentleman indulge me another question?

Mr. PAYNE. Oh, yes; but I must wind this thing up.

Mr. WM. ALDEN SMITH. I have known the gentleman longer than my colleague from Michigan [Mr. HENRY C. SMITH]. I was here and helped to pass the Dingley law. I was here when the gentleman helped to frame it. I ask the gentleman from New York if he did not say at that time on this floor that if we would build a beet-sugar factory in every Congressional district of the United States you would not disturb the tariff for a quarter of a century?

Mr. PAYNE. I did not.

Mr. WM. ALDEN SMITH. I quote you, sir.

Mr. PAYNE. Let me take what you have got there, and I will show you what I did say, unless this is also a garbled extract.

Mr. WM. ALDEN SMITH. All right. I heard you make the statement and I have my own recollection about it, as well as the official record.

Mr. PAYNE. Where do you get it from?

Mr. WM. ALDEN SMITH. I get it from the report of your speech in the CONGRESSIONAL RECORD.

Mr. PAYNE. I am not ashamed of this speech.

Mr. WM. ALDEN SMITH. Neither am I; let us hear it.

Mr. PAYNE. I stand by every word of it. It was delivered before the Spanish war:

What shall be done with the sugar trust? Well, I will tell you what, in my opinion, is the best way of dealing with it. Establish a beet-sugar factory in every Congressional district in the United States. [Applause on the Republican side.] Give competition, and lots of it, everywhere. Put the farmers over against the trust by passing this bill, and reduce the price of sugar so that German raw sugar can not be brought in to be refined here. Gentlemen on the other side, come over and help us, while we help the farmers out. [Laughter and applause.]

You Grangers over there, come and help us. You Populists that go up and down the streets day after day proclaiming your devotion to the interests of the farmers, help us out now when we are trying to help the farmers in this industry that we can establish so successfully. In this way you will do something toward demolishing the trust. You will accomplish more in this way than by mere invective—by running windmills and all that. [Laughter and applause.]

Then I go into the next paragraph. I do not say that you will—

Mr. WM. ALDEN SMITH. I leave it to the House what you said.

Mr. PAYNE. "Why should we not produce all of our sugar?"

Mr. WM. ALDEN SMITH. On his word Michigan men put \$10,000,000 into this industry.

Mr. PAYNE (continuing):

Why should we not produce all of our sugar in this country? Why, it costs us, Mr. Speaker, about one hundred millions. We were looking around for proper subjects for taxation. We knew that sugar would produce an enormous revenue; and besides all that, we knew that an adequate protective tariff would build up the industry in this country, and as it was gradually built up the revenue from that source will be reduced; by and by the revenue will come in more largely from other sources—

Mr. WM. ALDEN SMITH. All right.

Mr. PAYNE. Any beet-sugar factory in that?

Mr. WM. ALDEN SMITH. Go right along.

Mr. PAYNE. Oh, I know what is here—

and when this industry is fully established and revenue from sugar ceases, the reduction will keep pace with the increase. The thing will regulate itself; we will not disturb our tariff in the next quarter of a century.

Mr. WM. ALDEN SMITH. How about that?

Mr. PAYNE. We have not disturbed it.

Mr. WM. ALDEN SMITH. We took you at your word.

Mr. PAYNE. Hold on. I decline to have the gentleman shake his fist at me while I am making a speech.

Mr. WM. ALDEN SMITH. I beg your pardon. We took you at your word and our citizens put \$10,000,000 into the beet-sugar industry in Michigan.

Mr. PAYNE. Mr. Chairman, I decline to have the gentleman make a speech. Now, that remark referred to the reduction of the revenue and the replenishing of it from other sources. That is what that remark referred to, that we would have no change in the tariff in that respect for twenty-five years, and the prediction is justified, because the revenue has not only come in and taken care of the country, but it has gone far to pay the expenses of our Spanish war; and the prediction justifies itself.

But I did not think then that gentlemen would be howling—I beg pardon, talking—up and down this Hall, bloodthirsty for war with Spain, or that something would blow up the Maine and force war upon the people of this country. I did not think that we would have Porto Rico and the Philippines and Cuba upon our hands in any degree within the space of five years when I made that speech. I stand by every word of it.

Mr. WM. ALDEN SMITH. So do we.

Mr. PAYNE. And still, in the light of current events, protect the beet-sugar industry. I was for protecting it then, as I am to-day. I bring in this bill, Mr. Chairman, making a reduction of about 20 per cent, leaving that industry fully protected. Let



us pass it and stop this agitation to remove the whole duty by the annexation of Cuba to the United States.

Gentlemen, this question is before us. We ought to meet it as patriots. We ought to meet it with due regard to our own constituents, but in such a way that we may appeal to them, as I do to mine, as reasonable men. We ought to do it to aid Cuba at the present time. We ought to do it to bring prosperity and insure peace to the government we are establishing.

We are held in the eyes of the nations of the earth to use our utmost endeavor to give good government to Cuba; and finally, when she comes in by annexation, let us have Cuba without Asiatic hordes forcing themselves in with her; let us have Cuba prospered with diversified industries; let us have a Cuba that will not misrepresent what our Government has done for them; let us have a Cuba that stands for cleanliness, that stands for health, stands for good order, and stands for the very life, honor, and glory of the people of the United States. [Loud applause on the Republican side.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MAHON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4284. An act to amend an act entitled "An act for the relief of and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889;

S. 5046. An act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia;

S. 1556. An act to provide for the purchase of a site and the erection of a public building thereon at Sterling, in the State of Illinois;

S. 642. An act to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands;" and

S. 150. An act for the establishment of an assay office at Provo City, Utah.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 4071) granting an increase of pension to George C. Tillman, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. DEBOE, and Mr. CARMACK as the conferees on the part of the Senate.

#### RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. NEWLANDS. Mr. Chairman, I am opposed to any concessions to Cuba unless they are accompanied by a cordial invitation to Cuba to become a part of the United States; first, as a Territory under the Constitution and laws of the country, including the tariff laws, and later as a sovereign State of the Union. I am against the pending measure, first, because, according to the statement of the gentleman from New York, it inaugurates a policy of reciprocity, that reciprocity which has been termed the handmaiden of protection. I am opposed to this bill because it does not reduce the price of sugar to the domestic consumer. I am opposed to it because it is an extension of the imperialistic legislation inaugurated by the Republican party, for it seeks to add to the restraints already imposed by the Platt amendment upon the autonomy of Cuba or the independence of Cuba. Our own laws relating to immigration and contract labor, which, while good in themselves, are entirely unjustified when applied by pressure by this country to a so-called independent power.

I believe that we should take ground now against this measure, because it is a continuation of the imperialistic legislation, and the opportunity is now offered us of presenting to the American people a policy of the extension of the republic as opposed to an extension of the empire. For there can be no question but that the deliberate purpose of the Republican party, as expressed in the Platt amendment and expressed in the restraints upon the independence of Cuba imposed by this country, is, when Cuba, induced by her desire to secure access without restriction to the markets of this country, applies for annexation to accept her, but to reduce her to the abject position of a colony or military dependency.

Now the question is, What position shall the members of this side of the House assume to this bill? I insist that it violates every principle which should be pursued and maintained by the party to which we belong. In the first place it inaugurates a policy of reciprocity. What does that mean? Does it mean a tariff for revenue? Does it mean reduction to our consumers? Does it mean the withdrawal of protection from the trusts, which now manufacture and sell in a protected market at a high price and outside of our boundary sell at a low price? Oh, no! Reciprocity is an extension of the protective system by enlarging its

area, and no better illustration or exemplification of it can be secured than this bill.

This bill does not make a reduction in the price of sugar to the American consumers. It discriminates against the agricultural interests and promotes the manufacturing interests—these manufacturing interests now largely dominated and controlled by the trusts. It threatens by alarm and fear the sugar production in this country. It promotes the production of the trusts. We thus trade off one interest, the interest less protected, for another interest, the interest most protected. We extend the area of their protection, practically extend our protective laws to Cuba, so far as the trust products are concerned.

Now, I insist upon it that reciprocity is no part of the Democratic doctrine. It is absolutely inconsistent with tariff reform and tariff revision. It does not mean reduction in the price to domestic consumers; it does mean discrimination against one domestic interest and the promotion of other domestic interests, and that will always be the case. Therefore, such a policy is likely to produce and increase envy, jealousy, and distrust within the Republic, and is always likely to secure international enmity outside of the Republic.

How does it operate outside? We seek a single nation and endeavor to make a reciprocal arrangement with her by which certain of her products will come into this country with a less duty. The result is that such a country is favored in the introduction of her products to this country. And how will the less-favored nations regard such favoritism? They will look upon it with envy, suspicion, distrust, and upon us with enmity. They will immediately seek to secure a position where they can negotiate successfully with us. And how will they get the vantage ground except by raising a tariff wall against our products, and thus making it to our advantage or interest to treat with them?

To-day Germany is raising higher and higher her tariff walls against our products in retaliation for the high duties of the Dingley Act and with a view to restraining our exports to that country. The very first country with which it would be for our interest to make a reciprocal arrangement would be Germany, because she has placed the most restraints upon our trade. So, to make a reciprocal arrangement with her, we should have to allow her products to come into this country at a less rate than those of other countries. I ask in what position England, at present imposing no duties on our products, would then be placed? Why, she would be forced to retaliate by raising a tariff wall against our products and entering upon a protective policy. She would then be in a position where she could insist that in consideration of certain concessions made by us in our tariff she would make similar concessions to us.

I insist that the effect of reciprocity will be not only to create ill feeling and distrust, suspicion and a sense of favoritism at home, but it will either drive the nations of the world into the protective system, drive them into raising their tariff walls against our products, or it will secure their enmity as the result of favoritism to some States as against other States.

Now, a great many of my Democratic friends are deceived by the suggestion of reciprocity. They think it means larger trade, freer trade, and they say if they can not get tariff reduction as to the products of all nations, they are inclined to make an arrangement that secures it from each nation singly. I deny it; it enlarges the protective system; it practically extends our protective system to other countries. Our policy should be the revision of the tariff, the reduction of the tariff, now universally unequal, and particularly to reform legislation regarding the trusts which, within the field of their monopoly in this country, charge such exorbitant prices and outside in the field of competition abroad much more moderate prices.

Now, this bill purports to be a reciprocal arrangement, a reciprocal treaty. The agricultural productions of Cuba are to come in with a 20 per cent reduction, and all her products are agricultural. Our manufacturing products are to go in there with reduced duty, so that you can see that it is to the advantage of one interest and the disadvantage to another in this country, and to the disadvantage of that interest which thus far has received the least of the protection of our fiscal policy.

There is another reason why reciprocity is false in principle, and that is it subjects our fiscal system to the changing sentiment and caprice of our treaty-making power.

All our fiscal arrangements should be clear, certain, and stable. Our taxes should not be varied from time to time according to the judgment of the treaty-making power. They should remain certain, the same to all the peoples of the world and to all like products throughout the world; they should not be varied from year to year by the treaty-making power, thus varying our revenue itself, making that a matter of uncertainty and our governmental operations a matter of uncertainty or diminishing our revenue from customs, and thus forcing from time to time reprisals upon the people of this country through our internal



revenue system in order to maintain the revenue essential for the operations of the Government.

The motto of this country should be "one boundary for the Republic, including its possessions, free trade within that boundary, and absolutely impartial trade with all the nations of the world outside of it." That is the only kind of a policy that will promote friendliness at home and will prevent enmity and suspicion and distrust abroad.

Now, this bill is open to another objection, and that is that it is practically an extension of the imperialistic policy inaugurated by the Republican party. We all remember the resolutions by which we promised Cuba her independence. By those resolutions, properly and justly construed, we could have meant but one thing—the independence of sovereignty, the autonomy of sovereignty, the unrestricted power of Cuba to govern itself. How did we restrain that power in the Platt amendment? Why, in the first place we declared that we would turn Cuba over to a government of her own people upon certain conditions. One of those conditions was that she should turn over to us her military posts and her naval stations, that being demanded for the avowed but hypocritical purpose of protecting the independence of Cuba. The right of an independent country is to protect her own independence; and Cuba sacrificed her own autonomy when she surrendered control of those military and naval stations.

We also restrained her debt-contracting power. Now, the right of an independent nation is to contract whatever debts she pleases, and not to submit to another nation the control of her judgment as to the wisdom of such debt making. We also imposed limitations upon her sanitation, practically throwing the sanitary conditions of the island under the control of the United States.

Now, we have gone that far in our imperialistic policy regarding Cuba—almost relegating her to the position of a military dependency. In this bill we go farther, and we impose upon her our immigration laws and our contract-labor laws. Those immigration laws are good laws and those contract-labor laws are good laws. We have all participated in their enactment. But what I protest is that this country, an independent government, has no right to impose upon Cuba, an independent government, our own laws, laws which may ultimately restrain and control the line of growth which she may desire to pursue.

Mr. ROBINSON of Indiana. I should like to ask the gentleman from Nevada whether he thinks the sugar industry of Cuba could be carried on successfully and profitably by American labor?

Mr. NEWLANDS. I think so.

Mr. ROBINSON of Indiana. Does the gentleman think that the rice, tobacco, and sugar industries of the Hawaiian Islands could be carried on with American labor?

Mr. NEWLANDS. I do.

Mr. ROBINSON of Indiana. That is not done now in Hawaii. The gentleman from Nevada was closely connected with the annexation of those islands, the resolution for their annexation that passed having been presented by him. I hope, therefore, that before he gets through he will be able to tell us about the possibility of American labor carrying on the industries of Cuba.

Mr. NEWLANDS. Let me state that the climate of both Cuba and Hawaii is temperate. Col. Tasker Bliss, the military collector of the port of Habana, who has lived in Cuba for three years, says that the climate of Cuba is unsurpassed; that it is warmer in winter and cooler in summer than any part of the United States. And that makes the very perfection of climate.

Now, as to the ability of our people to work there. It is in evidence that men from America have gone down there and established market gardens and are working in them themselves. Colonel Bliss states that it is a climate in which the American race will not degenerate. So, too, with the Hawaiian Islands. It is true that the labor conditions of Hawaii are unfortunate, because before annexation Hawaii had reached out for her labor to the countries nearest to her—had reached out to China and Japan. Because those people were employed there we assumed that they were the only people that could be employed there. But such is not the fact. On the contrary, the climate is admirably adapted to the white man. It is a temperate climate. After annexation our immigration laws and contract-labor laws were, of course, applied to her, and as these restricted the Mongolian supply of labor the price of labor went up, and the Cuban planters have been clamoring for the modification of the Chinese-exclusion act, but as that will not be modified they will gradually seek for white labor, and they will secure it among the Porto Ricans, the Italians, and the Portuguese.

The conditions of the laborer in Hawaii are improving every day. The wealth of the landowner is diminishing every day just as the condition of the laboring man advances, and that is what I claim would be the result of annexation of Cuba by this country. With the application of our immigration and contract-labor laws we will restrict her labor markets, and that increase of production will draw simply upon a fixed population there or upon

our labor population, and every additional acre put under cultivation will create an additional demand for that labor and will increase its value. The very best evidence of it is that the Cuban production of sugar has increased within the past three years from 300,000 tons to 850,000 tons. They have been increasing their production notwithstanding the low price of sugar.

While you speak of the distress of Cuba, it is not an existing distress; it is anticipated distress. During the past year the price of labor in Cuba has gone up 50 per cent, and the evidence was that the wages of the laborers employed upon the sugar plantations of Cuba equaled, if it did not surpass, the average wages paid to the farm laborers of this country during the past year. The very effect of the increase will be to increase the production of Cuba and to increase the demand upon their labor, and that increase of demand under and upon a restricted labor market will increase the value of every unit of that labor in the day's wage.

Mr. ROBINSON of Indiana. The gentleman has admitted there is a similarity between Cuba and the Hawaiian Islands, but he seems to lose sight of the fact that the commission we sent to the Hawaiian Islands said in their report in 1898 that white labor could not successfully be employed there in their judgment. He overlooks that colonies of Americans who have been sent to Hawaii, as is said by the plantation owners, are unable to successfully compete. He seems to lose sight of the fact that in the Philippine Islands a like condition prevails, and in Hawaii and the Philippine Islands the chambers of commerce and the people who are exploiting the islands say they can not work them with white and American labor. Now, would not the same conditions prevail in Cuba?

Mr. NEWLANDS. I have nothing to say regarding the Philippine Islands. My hope and expectation is they will be lopped off and will no longer be a part of us.

Mr. ROBINSON of Indiana. Omitting that, then, does not the gentleman know that the same condition will prevail in Cuba unless these immigration laws are extended at this time?

Mr. NEWLANDS. I am not objecting to immigration and contract-labor law. I am objecting to the imposition of them by one sovereignty upon another.

Mr. ROBINSON of Indiana. In that I agree with the gentleman.

Mr. NEWLANDS. I am opposed to the bill because it is right in the line of imperialism. I believe that the application of our immigration and contract-labor laws to Cuba, when annexed, will be entirely legitimate. She will then be a part of the Union, and we will then be legislating for our own people, and she will be subject to our equal laws; but what I object to in this bill is that we are legislating for another people, a people whom we have declared independent.

Mr. ROBINSON of Indiana. And when she is annexed the gentleman will find the same conditions as prevail in Hawaii to-day.

Mr. NEWLANDS. Ah, not at all.

Mr. HOOKER. Will the gentleman permit a question?

Mr. NEWLANDS. Certainly.

Mr. HOOKER. I want to know and I have often thought why it was that after the result of the Spanish war, in which we spent so much money and lost so many soldiers, we should take hold of Cuba, and our Government should take hold of the archipelago on the other side of the globe, but relinquish the only island belonging to Spain that was worth anything to America?

Mr. NEWLANDS. I quite agree with the gentleman as to the importance of Cuba as a part of the United States. I differ with him as to Hawaii. I think that the proper expansion of this Republic involves not only the expansion over contiguous territory, but the acquisition of islands essential to our coast defense; and I have always regarded Hawaii, halfway as it is toward the Orient, as a most valuable place as a military and naval station, and as also constituting a defense to our coast line from Alaska to San Diego.

Mr. HOOKER. Will the gentleman allow me to ask him another question?

Mr. NEWLANDS. Thus diminishing both our military and naval expense. If the gentleman will hear me, I have always felt that if those islands were in the hands of a hostile power, that if such power had a naval station there, it could be made a point from which a radiating attack could be made upon our entire merchant marine upon the Pacific coast, and you must recollect the coast line of the Pacific is longer than that of the Atlantic. Take a radial line of only 2,500 miles from Hawaii and it would touch every part of our coast from Alaska to San Diego, and if an attack were aimed upon us from the Asiatic coast the ships would be derelicts in the ocean before they would reach our shores unless they could take on coal at Hawaii; and the very possession of the islands has in itself been a matter not only of diminishing the military and naval expense, but a matter of legitimate expansion to the commerce of the Republic.



Mr. HOOKER. In the line of the gentleman's argument, I would like to ask him another question. Why should the Government of the United States pass over Cuba, the most fertile country on earth, which we have always desired to have, and seize upon Porto Rico, beyond Cuba, no less fertile, but a less favorable possession than Cuba?

Mr. NEWLANDS. The reason was that we promised Cuba independence, and there has been a hypocritical effort upon the part of the Republican party to keep that promise. They have been seeking all the time to fasten upon her the control of military power and to reduce her to the position of a military dependency, whilst they have been preaching the doctrine of benevolence and disinterestedness.

Now, I propose, so far as we are concerned, that we should insist upon it that if any concessions as a matter of sentiment are made to Cuba we should accompany those concessions with a cordial invitation to Cuba to become a part of the United States. That is not the application of force. We could make a temporary reduction to those islands, and give Cuba to understand that she was to have abundant time for deliberation and consideration. The force that would bring her into this country would be the force of her own reason and of her own necessity, which ought always to guide and control a people. Now, with reference to this proposed bill, I have already stated that it would not reduce the price to the American consumers. That is very easily demonstrated. The production of sugar in the world is about 10,000,000 tons. The United States consumes about one quarter of that, or about 2,500,000 tons. You can understand, then, how desirable a market the United States is. Now, of this 2,500,000 tons consumed in America about one-third is produced by Porto Rico, Hawaii, Louisiana, and our beet-sugar farms. Another third comes from Cuba. The other third comes from the rest of the world.

With a view to protecting the production of sugar in this country, as well as collecting revenues, a tax of \$34 a ton was imposed by the Dingley Act upon sugar coming to this country, thus practically doubling the world's price of raw sugar as it stands to-day. Now, admit Cuban sugar free, or admit it with a reduced duty, and what is the result? Will the price of our domestic sugar be reduced? Not at all, for the price of our domestic sugar to-day is the world's price of sugar plus our duty, plus the freight to this country, and that will be the case until the United States produces its entire consumption. As long as 100,000 tons are imported from abroad and this duty lasts the domestic price of sugar in this country will be the world's price, plus the duty, which means that in America to-day the American people pay double the world's price for their sugar.

Now, suppose we let in Cuban sugar free or with a reduced duty. It means that only one-third of the two-thirds of foreign production comes in with a reduced duty. We still import 750,000 or 800,000 tons, and the price of that will be the world's price, plus the duty, so that the domestic price to consumers will be maintained at the same rate. The very purpose of the Dingley Act was to accomplish this, and the very purpose of this bill, as alleged by its author, is not to reduce the price to the American consumer, but to transfer \$6,000,000 of the duty now paid on Cuban sugar to the pockets of the Cuban planters. That is the proposition, \$6,000,000—20 per cent.

Now, you say, that is only fair, that the Cubans pay the duty upon the sugar, and we return to them 20 per cent of what they pay. But the Cubans do not pay the duty upon her sugar. The duty upon her sugar is paid by our consumers, by our refiners, and their customers. Our refiners pay the duty and impose it as an additional price upon the consumer. So that we have here a reciprocity arrangement which involves no reduction in price to the American consumer, but a transfer of one-fifth of the tax paid by American producers upon Cuban sugar, and not by the Cubans upon Cuban sugar; a transfer to the Cuban planters of that one-fifth.

What is the reason this is urged? Why, it is urged simply because the Cuban planters are in distress. Well, I am sure that distress always has my sympathy. I sympathize with the Cuban planters if they are in distress. I sympathize with the Cuban laborers if they are in distress. I sympathize with our American farmers and our American laborers if they are in distress. But distress should not be the occasion of national legislation.

When the farmers of this country were in distress in 1893, receiving the world's price for farm products, recollect, just as Cuba is receiving it to-day, we did not seek by legislation to increase the price which they should receive. And yet, with reference to foreigners, we propose to increase the price which the foreign planters shall receive for their product, simply because they are not satisfied with the world's price.

And why is the world's price so low? Simply because Cuba has produced so much. Prior to the Cuban war the production of Cuba was 1,000,000 tons per annum. During the Cuban war that

production fell to 100,000 tons per annum. That was the opportunity of the protected and bounty-fed sugar producers of Europe, and they entered the markets of the world that Cuba had controlled, and monopolized them, and the result was that when the Cuban war was at an end she found the places in which she had been accustomed to sell her crops monopolized by other producers. Notwithstanding that she started in to produce, and she has increased her production from 100,000 tons, the lowest production during the Cuban war, to 850,000 tons, nearly one-tenth of the world's product; and the surplus of 1,000,000 tons in the world to-day consists almost entirely of the Cuban products. The price which Cuban planters receive responds to the law of supply and demand. The supply has been increased beyond the demand, and the price has fallen. She is unwilling to accept the world's price of sugar, which is below 2 cents a pound, and she claims that she can not produce it for less. Therefore, she asks relief.

Judged as a mere reciprocal arrangement, judged by business considerations, there is no reason for this legislation. It is legislation unparalleled in the history of our country. It is a kind of legislation that we have never brought to the relief of our own producers. It is a kind of relief that we ought not, as a matter of business, to extend to the producers of other countries. But sentimental legislation—

Mr. SAMUEL W. SMITH. Will the gentleman yield for a question?

Mr. NEWLANDS. Sentimental considerations have been—yes, I yield to the gentleman.

Mr. SAMUEL W. SMITH. Does the gentleman hold under the Platt amendment that Cuba is not allowed to enter into a commercial treaty with any other power?

Mr. NEWLANDS. Cuba is absolutely free to make a commercial treaty with any other country she sees fit, and this legislation can not be justified on the ground that the Platt amendment limits her treaty-making power. It does not in any way limit her power to make commercial treaties.

Well, my friends, I think we have all indulged in sentimental considerations; but the American people are becoming tired of sentimental legislation. We have spent \$300,000,000 to free Cuba as a matter of sentiment. We have spent over \$500,000,000 in endeavoring to carry civilization to the Philippine Islands. Now it is proposed that we should carry this sentimental legislation further, and that when Cuba is about to inaugurate her own government we make her planters a gift of the taxes imposed, not upon her people, but upon our people; and the only justification for that is that Cuba needs help. The proposition is to transfer these taxes to a foreign producer, because if you admit that Cuba is an independent government her people must be foreigners.

Now, so far as I am concerned, I am willing to extend this sentimental legislation. I realize the fact that Cuba is about to inaugurate her own government. I realize the fact that the low price of sugar is likely to have a depressing effect upon her industries. I will be glad when Cuba becomes a part of the United States. I am willing to add to the generosity which we have already extended to her, but I would add in connection with the extension of this liberality an invitation to become a part of the United States, and I would extend the invitation for this reason: The United States during the past three or four years, for the first time in its history, has entered upon a policy of imperial expansion. It has for the first time in its history asserted its right to hold a country subject to its domination and a people subject to its domination. Cuba may well feel that if she applies for annexation to this country she will be accepted, but will be reduced to a condition of a colonial possession or military dependency.

I would give her heart and courage now and insure her of the enduring sympathy of the Republic. That it is the purpose of this country, at least so far as she is concerned, to recognize that island as a part of the legitimate expansion of the Republic, and not as a part of the expansion of the empire. I would accompany this by a temporary reduction extending over one crop, or, if necessary, two, extending an invitation, giving her the benefit of the proposed arrangement, not as a part of a general reciprocity policy of the country, so that it should not be considered an indorsement of reciprocity, but simply as an extension of sentimental legislation already enacted, and giving her time for deliberation and consideration, without the pressure of economic distress. I would not give anyone the opportunity of saying that we forced Cuba into the Union through her distress, but I would give her to understand that after this temporary reduction for a single crop or two crops, tiding over such distress, reciprocal relations would exist no longer, and that after that commercial union could only be accomplished by political union. I would put an end to sentimental legislation in this way.

I believe that annexation will be a good thing for Cuba. I believe it will be a good thing for the United States. There never



has been a time in the history of the Republic that Cuba has not been regarded as a desirable part of the United States. If we are to annex a country, let us annex a rich country, and Cuba is the richest country upon the globe. If we are to annex a country, let us annex a country with a good climate, and Cuba has one of the best climates in the world, a temperate climate, one that is suitable for exertion, and one that maintains a strong and vigorous race. Cuba is a country that is capable of sustaining a population of 12,000,000 to 15,000,000 people. If she is to be annexed I would rather have her annexed shortly after the withdrawal of military control, when the transfer will be easy, and not after years of strife, civil war, and confusion, such as are sure to be inaugurated, as in every Spanish-American republic.

I believe it would be a good thing for Cuba to give her the free access to our markets; give her this double price of sugar which is now paid by our domestic consumers and the price of her sugar will rise from \$34 per ton, the price in the world's market, to \$68 a ton in our market. Assuming that the present tariff is maintained, it will mean a clean gift annually to Cuba of \$30,000,000. Of course, the result of that annexation will be that immediately the labor values of Cuba will increase. It will mean, with our immigration laws and with our contract-labor laws extended to that island as a part of the Republic, restriction of the labor there and an increase of the production equal to the point of the limited labor supply and would increase the value of every unit of labor, just as it has in the Hawaiian Islands, and thus gradually the labor cost of production in the beet-sugar farms and the cane-sugar plantations of Louisiana, Hawaii, and Cuba would be equalized.

In the Hawaiian Islands, unfortunately, when we took them we had the very worst form of sugar production. The production of sugar was upon great plantations, where the laborers occupied the relation of serfs attached to the soil. We could not change that condition in a day. We could not restore the Chinese and Japanese who were there to their own lands, but the very result of the extension of our immigration laws and contract-labor laws was to so increase the price of labor and the independence of labor that the planters have been clamoring for a relaxation of these laws. The very clamor of the planters indicates that the condition of the laboring classes has been improving. If we had been true to our duty and provided a gradual system of dividing up these great plantations into small farms, there is no reason why the production of sugar could not be made an industry that will sustain as good a class of producers as any other farming industry. The trouble is that capital has monopolized the business and controls great areas of land and obtained the cheapest labor. A wise legislation applied to Cuba will promote small land holdings in that island, will break up these great plantations, and will promote the welfare and the well-being of the individual laborers, and thus tend to advance Cuba's population to a condition of self-respecting citizenship in this great Republic.

Mr. SPARKMAN. Mr. Chairman, will the gentleman allow an interruption?

Mr. NEWLANDS. Yes.

Mr. SPARKMAN. I was quite interested in the reasons the gentleman gave for the annexation of Cuba to the United States. One of the reasons was, of course, that it would be beneficial to Cuba; and I can well understand that. The only reason why the gentleman gave for its being beneficial to the United States was that Cuba is a rich country. Has the gentleman any other reason?

Mr. NEWLANDS. I think our people would settle in that country. I believe we would greatly improve and build up the country and it would be a benefit to us to have our population settle there. I believe that in time Cuba will be as beautiful as the Riviera of Italy and France.

Mr. SPARKMAN. How would that benefit the United States?

Mr. NEWLANDS. You might as well ask me how the extension of the Republic across the Alleghenies or the extension of the Republic to the Pacific coast has been of advantage to the Republic. It has increased the population, it has increased the wealth, it has increased the power, it has increased the prestige of the country. In addition to that, these islands stand right at the mouth of the Gulf. You may regard Cuba almost as a fortress at the mouth of the Mississippi. This island stands in the line of our isthmian canal. There is every reason why we should have this island as a part of the United States. It seems to have been lopped off by a convulsion of nature. I think it quite reasonable to believe that Cuba was at one time a part of Florida, which the gentleman represents.

Mr. SPARKMAN. One question more. I understand the gentleman to say that this concession to Cuba will interfere to some extent with the beet-sugar industry in this country.

Mr. NEWLANDS. It will to this extent. It will not affect the price of sugar in this country, but the prospect of reciprocity, and the prospect of annexation, I admit, will have some unfavorable effect upon the future extension of beet-sugar production.

But I claim that it will rest largely in the imagination. I asked the sugar producers who appeared before the Ways and Means Committee which they preferred, reciprocity or annexation, and they replied annexation, because they knew that our immigration and contract-labor laws would apply. This bill applies to them also, but who is to enforce them? A proper enforcement of the law depends upon annexation.

Mr. SPARKMAN. If the prospect of this bill has that effect, what will the actual realization be?

Mr. NEWLANDS. I think the realization will be less than the anticipation. I believe that sugar is almost altogether a product of labor. Sugar is produced cheaper in Cuba because labor is cheaper there than in the United States. But when our immigration laws and contract-labor laws are applied to that island, when she becomes a part of the United States, when we can enforce them, and not leave them to be enforced by the people there, the immediate effect will be an increase in the price of labor, just as in the case of Hawaii. Hawaiian planters thought they were entering upon an era of unequaled prosperity after annexation, but it has not been realized. Now there is an absolute depression in the sugar stocks there, arising from the fact that the price of labor has advanced as the result of annexation. The laboring classes have been benefited there by annexation more than the planting class.

Mr. ROBINSON of Indiana. Let me ask the gentleman how much the price of labor has advanced in the Hawaiian Islands since annexation?

Mr. NEWLANDS. I can not tell the gentleman mathematically.

Mr. ROBINSON of Indiana. The present price is about \$17 per month, and board and clothe themselves.

Mr. NEWLANDS. What was it before?

Mr. ROBINSON of Indiana. About \$15 or \$16 a month.

Mr. NEWLANDS. It has advanced a great deal more than that.

Mr. ROBINSON of Indiana. Before annexation they had the contract-labor system, under which the large body of laborers were practically slaves, as the gentleman himself has told us. But the present price is about \$17 per month. I mean, of course, Japanese and Chinese labor, practically the only kind utilized there.

Mr. NEWLANDS. The price of labor there has steadily advanced; and so far as Cuba is concerned the advance in wages is best illustrated by the fact that within the last year, as the result of the increased production of sugar in Cuba and the increased demand upon a limited laboring population, the prices of labor have advanced nearly 50 per cent and have equaled the wages of farm laborers in this country.

Mr. BALL of Texas. Is it not the fact also that under the labor laws in operation there before annexation, while the wages were nominally a certain amount, the penalties of one kind or another absorbed half of those wages?

Mr. NEWLANDS. I am not familiar with the facts in regard to that. All I know is that the price of labor has materially advanced.

Now, Mr. Chairman, I have stated my objections to this bill, and I have also stated the concessions which I think can be judiciously made to Cuba as an extension of our sentimental legislation. I believe in the expansion of the Republic over contiguous continental territory and adjacent islands that are essential to our coast defense. I believe that Cuba is a part of that desirable expansion. I believe that it is incumbent upon us to give the invitation to Cuba, rather than wait for her application, simply because she will hesitate to reply, knowing the experience of Porto Rico and the Philippine Islands; simply because it is our duty to express to her in clear and unequivocal terms our purpose in regard to her should she seek annexation—that we intend to make her a part of the Republic, not a part of the empire.

I am against reciprocity treaties in every shape and form as an expansion of the system of high protection, as involving no reduction of price to consumers and involving domestic ill feeling and jealousy from the favoring of certain domestic interests and the discrimination against other domestic interests, and also involving in the end international dislike, envy, and hatred. And so I am against this bill unless it be so amended as to be accompanied by the invitation to which I have referred, and which, if accepted by Cuba, will open to her such a future of freedom, prosperity, and happiness as she can never secure through independence. What greater boon of liberty can she enjoy than that secured by the Constitution and equal laws of the Republic, and what greater future can await her than that of ultimately becoming a sovereign State of this Union? [Loud applause.]

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CAPRON having taken the chair as Speaker pro tempore, a message from the President was communicated to the House of Representatives by Mr.



PRUDEN, one of his secretaries, who announced that the President had approved and signed a bill of the following title:

On April 7, 1902:

H. R. 13360. An act making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for other purposes.

#### RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. McCLELLAN. Mr. Chairman, after three months of the hardest kind of work—after concessions offered and concessions made—after rebellion sternly repressed—after semiofficial utterances printed in the semiofficial press to the effect that the Administration would die in a certain "last ditch" that has been moved forward and forward and forward until it has disappeared over the horizon—the much desired, the much prayed for bill for the relief of Cuba is at last before the House.

When I look across the center aisle and see the somewhat bedraggled and wearied appearance of the white dove of harmony that perches upon the banners of the Republican party, a little incident recalls itself to my memory—an incident that occurred at the beginning of the present session. There was a matter of importance before the House; and we Democrats were opposing it in the usual united and brotherly way in which we oppose everything [laughter], when suddenly out of the night of the Republican side came my committee colleague, the gentleman from Ohio [Mr. GROSVENOR], walking with stately tread across the well. He leaned upon one of the desks in the front row and recited to us a little poem that has since brought him well-deserved fame as a poet and has unquestionably resulted in his renomination to Congress. [Laughter.] It seems to me that the time is now opportune to return it to him—I only wish that he were here so that he might hear me recite it—to return it to him with the grateful acknowledgment of an appreciative minority:

When birdies in their nests agree,  
It is a rare delight;  
But, oh, it is so sad to see  
Those little birdies fight.

—GROSVENOR.

[Laughter.]

I had feared that the majority party would be hopelessly divided upon this bill. We had heard of insurgents who would never, never die, and seldom surrender; but—

These were the gods of yesterday;  
The wind hath blown them all away.

[Laughter.]

When the grand army began its retreat from Russia, Marshal Ney commanded the rear guard, 30,000 strong. As the remains of that army reached imperial territory, the Emperor sent for Ney. The "Bravest of the brave" rode up, a mere wreck of his former self, and saluted. "Ney," said the Emperor, "where is the rear guard?" "Sire," replied the marshal, "I am the rear guard."

I am no prophet, Mr. Chairman, but I venture to predict that when the roll is called upon the final passage of this bill, if anyone asks where are the "insurgents," the gentleman from Minnesota [Mr. TAWNEY], my colleague on the committee, will rise sorrowfully in his place and, respectfully addressing himself to the Chair, reply, "Mr. Speaker, I am the insurgents." [Applause and laughter.]

Self-examination is sometimes the most excellent self-discipline. For four years we have been trying to deceive ourselves that we fought the war with Spain simply as an incident of chivalrous knight errantry, without any selfish motive. What are the facts? It is true that sentimentality did influence us, and greatly influence us, but there was another cause that brought on the war with Spain.

Cuba lies at our door, the key to the Caribbean Sea; the key to the Nicaraguan Canal, if that is ever constructed. A condition of anarchy had existed in Cuba for nearly thirty years. Cuba, owing to misgovernment, was a breeding spot for pestilence that ravaged the cities of the United States. The conditions became intolerable. Then came the tragedy of the *Maine* and war followed. If we freed Cuba, at least we were repaid for that act of generosity. Cuba was freed and the Cuban people profited, but we profited quite as much. In the resolutions which virtually brought on the war we recognized the independence of Cuba. We proclaimed in the so-called Teller resolution—

That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

That was in 1898. We recognized the republic, for that was virtually what it meant—the independence of the Republic of Cuba. In 1901 we restricted that independence by the so-called Platt amendment. It is true the gentlemen on this side of the House, I think without exception, voted against the Platt amendment.

Mr. TAWNEY. Will the gentleman pardon me?

Mr. McCLELLAN. Certainly.

Mr. TAWNEY. You have said that by the adoption of the Platt amendment we have restricted the independence of Cuba.

Mr. McCLELLAN. Most certainly.

Mr. TAWNEY. Will you explain to the committee in what particular we have restricted the independence of the island by the adoption of that amendment?

Mr. McCLELLAN. I am about to do so, if my colleague will bear with me for one moment.

Mr. TAWNEY. I thought the gentleman was about to leave the subject.

Mr. McCLELLAN. I shall not, perhaps, be able to enlighten the gentleman, but I shall at least be able to solve his doubts. By the adoption of the Platt amendment we restricted, I repeat, the independence and sovereignty of Cuba. In paragraph 3 of the amendment we stated "that the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba," and so on, in reference to the treaty of Paris. We further reserved the right to take such coaling stations and naval stations as might be hereafter determined by treaty. Does anyone suppose that if Cuba declined to make such a treaty in the interests of good government we would not interfere and do exactly what we pleased? By the Platt amendment—

Mr. TAWNEY. Will the gentleman yield?

Mr. McCLELLAN. Certainly; I am always glad to hear the gentleman.

Mr. TAWNEY. Is there any evidence of a purpose on the part of our Government, in the event that Cuba refuses to enter into a treaty, such as is provided in the amendment, that we will intervene for the purpose of compelling transfer or anything of that kind?

Mr. McCLELLAN. Mr. Chairman, the only argument on which the Platt amendment stands or can be defended is that it is the ultimate outcome of the Monroe doctrine, and as the ultimate outcome of the Monroe doctrine it is necessary, according to the friends of the amendment, that we shall control the key of the Caribbean Sea. There is nothing specific in this, there was nothing specific in the Teller resolution, to suggest that we would take back part that we had granted. Nothing. In fact, there was everything to lead the average individual to suppose that we would never limit the sovereignty of Cuba, and yet we have done it.

Mr. PALMER. Just ask him how.

Mr. McCLELLAN. It is a mere question of splitting hairs—a mere question of splitting words—go on.

Mr. TAWNEY. A great many gentlemen around me are, together with myself, anxious to know how you interpret or how you conclude that we have limited the sovereignty of Cuba by the Platt amendment, when they are entirely free under that amendment to enter into reciprocal trade agreements with any country in the world, and when we do nothing more than to prevent them from entering into a treaty for the purpose of transferring that sovereignty to some other power.

Mr. McCLELLAN. I have sat at the feet of the gentleman from Minnesota so often and absorbed from him sweetness and light that I am glad he comes to me for information. [Laughter.]

Mr. TAWNEY. Yes; but I am not getting it very rapidly.

Mr. McCLELLAN. If the gentleman will only have patience—he is to have seven hours later [laughter]—if he will only bear with me until I can speak for five minutes I will explain to him.

The gentleman asks how have we limited the independence of Cuba when we have "generously" permitted her to make trade agreements or commercial treaties with any other country—

Mr. TAWNEY. Or any other treaty—

Mr. McCLELLAN. Let me finish my sentence.

Mr. TAWNEY. Or any other treaty, except a transfer of her independence.

Mr. McCLELLAN. Pardon me, the only possible treaty under the terms of the Platt amendment into which Cuba can enter is a treaty of commerce, for the reason that we have guaranteed her independence. She can not agree to reduce that independence; she can not agree, even if she would, to become a part of any other country. She can not permit a foreign garrison to come on the island of Cuba if she wants to. She can not have any foreign relations except with the United States.

Mr. COCHRAN. She can not make an offensive and defensive alliance with any other country.

Mr. McCLELLAN. Certainly she can not; and the permission that we have given her to make a trade agreement amounts to nothing, for what country would make a commercial treaty with Cuba knowing that if Cuba were to violate its terms, like some Latin-American republics, that she would be powerless either directly or indirectly even to request her to live up to the terms of that treaty without having to answer to the United States?



During the pendency of the Cuban constitutional convention the delegates of that convention sent to Washington certain representatives. Those representatives asked the President to make some arrangement of reciprocity for the benefit of Cuba. Congress was not in session and the President could make no pledge. It has been testified before the committee, it is a matter of common rumor, that while the President declined to make any such agreement because he had not the power, that he dismissed the delegates with one of those happy phrases for which he will always be remembered. "Go," said he; "trust the United States." We can not pay his memory a more respectful or a greater tribute than by showing that in his estimate of his countrymen he was not mistaken. [Loud applause.]

All witnesses who appeared before the Committee on Ways and Means, Cuban sugar growers, Government officials, even gentlemen from the central western part of the United States, representing beet sugar, conceded that economic conditions in Cuba were, if not to-day, at least would be in the immediate future, desperate.

Mr. TAWNEY rose.

Mr. McCLELLAN. Does the gentleman desire to ask me a question?

Mr. TAWNEY. I do not wish to interrupt the gentleman.

Mr. McCLELLAN. Excuse me. I have become so accustomed to answering questions from the gentleman that I thought he desired to ask me another.

Mr. TAWNEY. If the gentleman will allow me to suggest, those statements before the Ways and Means Committee were in January last and this is the month of April, and we have not yet seen the evidences of that distress.

Mr. McCLELLAN. A case of Christmas in April. [Laughter.] The census of 1899, as I remember the figures, shows that 58 per cent of the rural real estate in Cuba has been mortgaged and 79 per cent of the urban real estate. Three-fourths of the people of Cuba depend directly or indirectly for a livelihood upon the raising and the manufacture of raw sugar. Upon the success or the failure of the sugar crop depends the very life of Cuba.

The world market for sugar is overstocked. It has been estimated that on October 1, 1901, the world's supply exceeded the world's demand by 1,812,355 tons. The stock on hand waiting a possible rise in price, or waiting an increase of the demand, is growing greater every day. This extraordinary condition of affairs has been brought about by the bounty and cartel systems of Europe.

When the production of beet sugar assumed serious proportions on the Continent, governments at once began to impose excises for revenue purposes, as they had on almost every taxable commodity produced. For the purpose of encouraging the beet-sugar industry both Germany and France, as well as Austria, inaugurated, nearly twenty years ago, a system of export drawbacks. On sugar leaving the country the excise tax was returned; but as the amount of the excise was intentionally computed upon a lower yield of sugar per ton of beets than what was actually produced, the drawback operated as an indirect bounty on exportation.

Under this stimulus the production of beet sugar largely increased and an overproduction soon resulted; that is, more was produced than the world was willing to absorb at a profitable price. Accordingly, in some countries the indirect bounty was abolished and a direct bounty paid on exports, while in other countries a direct bounty was paid in addition to the indirect bounty. Production continued to increase and overproduction again resulted. In Germany and Austria the situation was relieved by the organization of what is called the Zucker-Kartel, which is a combination or trust composed practically of all the beet manufacturers and sugar refiners in Germany and in Austria.

Thanks to a prohibitive tariff, foreign sugar can not be marketed. Taking advantage of this fact, the cartel buys from its members all the beet sugar they can raise. It then apportioned among the refineries a sufficient amount of sugar to meet the home demand, fixing the price at somewhat less than that at which foreign sugar can be sold, plus the prohibitive duty. In this way the sugar manufacturer of Germany and Austria receives not only the direct bounty of the Government for the sugar that he exports, but also an extraordinary and artificial profit from the sale of sugar at home. While it costs 1.8 cents to make a pound of sugar in Germany, it is sold at Hamburg for export at 1.47 cents a pound, one-third of a cent less than the cost of production.

In the United States our beet-sugar growers are protected not only by the countervailing duty against bounty-fed sugars, amounting virtually to the amount of the bounty paid, but also by a direct protective duty amounting to about 94 per cent ad valorem. The United States consumed about 2,400,000 tons of sugar during the year 1901, of which amount she imported 1,600,000. Of this Cuba supplied 580,000 tons, the East Indies 300,000 tons, the British West Indies 110,000 tons, South Africa 100,000 tons, Germany 225,000 tons, and the remaining 285,000

tons were imported from various sources. The United States is therefore not a very wide field for European sugar, owing to the countervailing duty.

England is the market for which all Europe has been competing ever since the existence of the bounty system. Sugar is sold in London at 2 cents a pound, at a profit to the continental producer, while the same grade is sold in Germany for 8 cents and in France for 10 cents.

The result of this artificial condition has been the constant reduction of the price of bounty-fed sugar. This constant fall in price caused by a further overproduction brought continental economists to a realization of the gravity of the situation. Eleven unavailing efforts had been made in international conferences to come to some general understanding upon the subject of bounties.

Conditions last year were so serious that another conference was held at Brussels, which has at last reached an agreement. The only alternative to a still further increase of Government bounties was the entire abolition of the bounty system, and this is the radical step that has been taken in the Brussels convention. After the 1st of September, 1903, the contracting parties, including every European power but Russia, are to abolish all direct and indirect bounties, while the surtax on imported sugar is limited to a maximum of 5.50 francs on a hundred kilograms of raw sugar, being an equivalent of 0.481 cent per pound avoirdupois, and 6 francs per hundred kilograms of refined sugar, being an equivalent of 0.525 cent per pound avoirdupois. This means that the margin between the excise tax levied on domestic sugar and the customs tariff imposed on foreign sugar shall never exceed a maximum of 5.50 francs in the one case and 6 francs in the other per hundred kilograms.

The effect of the abolition of bounties and of a reduction of the surtax to a minimum will immediately result in the disruption of the cartel in Germany and in Austria, for the cartel can only exist because of the bounties and of the enormous margin between the domestic excise and the customs duty. As sugar costs the German producer something like 1.8 cents per pound, and as it is selling for export at the world price of 1.47 cents per pound, the abolition of bounties and the disruption of the cartel must increase the world price of sugar to the cost of manufacture plus a profit. Professor Wiley, of the Agricultural Department, has estimated this increase of price at four-tenths of a cent per pound.

The first effect of the Brussels agreement was the fall in the price of sugar to the equivalent of 3½ cents in New York for raws 96° polarization. It is probable that this price may still further fall during the coming year, because as there are only two crops which will receive the benefit of bounties and the cartel, producers will strain every effort to make those crops as large as possible.

In other words, the supply will more than ever exceed the demand, and consequently the world price will certainly not go above its present figure. When the Brussels agreement goes into effect in 1903, there will be enormous quantities of sugar in storage that have not been consumed, estimated at at least 1,000,000 tons. This surplus sugar must be absorbed and production must be reduced to balance the supply under the new and natural conditions before the price of sugar will advance. When the effects of the artificial stimulation to production have passed away, then the world price of sugar will advance and be controlled by the economic law of supply and demand.

As Germany is the largest producer of sugar in the world, the world price of sugar is fixed at her principal port of export, Hamburg. The price of sugar in New York at any time will, therefore, be the Hamburg price plus freight and shipping charges, duty, and countervailing duty. The following statement will explain my meaning:

Parity of 88° analysis beet sugar and 96° polarization cane sugar, per 100 pounds.

Beet sugar, at 69 f. o. b. Hamburg, per 112 pounds	\$1.47
Freight, 7.6 per ton	.083
Insurance, bank commission, loss of weight, ¼ per cent	.022
Duty (88° analysis outturns 94° polarization)	1.615
Countervailing duty (German sugar)	.26
Lighterage at New York	.03
Difference in value to refiners between 88° analysis and 96° polarization	.19

Parity of 96° polarization cane centrifugal..... 3.67

The price of sugar at Habana free on board ship at any time will be the price at New York less duty, freight, and shipping charges.

There are two standard grades of raw sugar produced in Cuba—centrifugal, polarizing at 96°, and molasses sugar, polarizing at 89°. The price of centrifugal sugar 96° test in New York yesterday was 3½ cents, while the price of molasses sugar is 2½ cents. These prices will scarcely increase permanently until the Brussels convention is in full force and operation. It is even probable that they will fall.

The Dingley duty on a pound of 96° centrifugal is 1.685 cents, making the bond price at New York 1.815 cents. To ascertain the shipping charges, freight and commission, I have drawn



from the testimony of witnesses appearing before the Committee on Ways and Means. For freight, I have taken the figure given by the witness Leavitt, 0.11 cent per pound, which is below that given by witnesses not appearing in the interest of beet sugar. Insurance is 1 per cent, weighing 0.01 cent, brokerage and charges 0.01, loss in weight and test 0.02, commission 2½ per cent, making the total freight and shipping charges for a pound of sugar at the present price 0.252 cent. This deducted from the New York bond price makes the Habana price, f. o. b., 1.563 cents per pound.

To ascertain the average cost of a pound of sugar f. o. b. at Habana I have averaged the figures submitted by eight witnesses who appeared before the Committee on Ways and Means—namely, Col. Bliss, United States collector of customs at Habana, Messrs. Atkins, Hawley, Machado, and Fowler, for reciprocity, and Messrs. De Castro, Oxnard and Saylor against reciprocity. As those appearing in the interests of the beet-sugar trust made ridiculously low estimates, and some of those appearing in the interests of reciprocity rather higher estimates, the average of their figures would appear to be a fair statement of the cost. It is exactly 2 cents a pound. As the price f. o. b. at Habana is 1.563 cents, and as the average cost of producing and placing on shipboard a pound of sugar is 2 cents, the loss to the Cuban planter is 0.437 cent.

The price of molasses sugar is so low and the cost so comparatively high that very little is now exported to the United States. The amount is so small that it may be left entirely out of consideration, and the total crop exported may be considered as consisting entirely of 96° centrifugal sugar. It has been estimated that the total crop of Cuban sugar that will be ready for the market after May 1 will amount to about 850,000 tons or 1,904,000,000 pounds. As the loss per pound to the Cuban planter at the present market price is 0.437 cent, the total loss on this year's crop will amount to \$8,320,000, or 21.8 per cent of the cost of production. This estimate is more than conservative.

Some authorities have estimated the loss upon the present crop as high as \$23,000,000, but assuming that it will only be \$8,320,000, it is none the less appalling. The average total cost of the government of Cuba under three years of American rule has been about \$17,000,000. In other words, if no relief is given there will be a loss of nearly one-half the total cost of government. The present crop will necessarily be marketed, even at this enormous loss, for the alternative is the sacrifice of the entire crop of 850,000 tons, costing an average of \$44.80 per ton, or a total of \$38,080,000.

Next year, however, with credit gone, with no hope of making a profit, it is perfectly evident that the Cuban planter must close his mills, let his fields go to waste, discharge his workmen, and face bankruptcy. As three-fourths of the people of Cuba are employed directly or indirectly in the production of sugar, and as the entire population depends for prosperity on the prosperity of the leading industry, the bankruptcy of that industry must necessarily mean ruin to Cuba, to be followed by the inevitable consequences—starvation, riot, bloodshed, and revolution.

This loss of eight million and odd dollars is the emergency that confronts Congress to-day. It must be prevented if we are to permit Cuba to become prosperous, if we are to permit Cuba to sell her stock of sugar without loss.

Among the various arguments that have been used against this bill one stands out before all others. It has been urged that no reduction of the Dingley rate on sugar can be made that will not inure solely to the benefit of the American Sugar Refining Company, otherwise known as the sugar trust. The gentlemen who have urged this argument have shifted their ground repeatedly. They first said: "Of course, the sugar trust will derive the sole benefit from any reduction on Cuban sugar, because the sugar trust is the sole purchaser that Cuba has, and can therefore fix the price of sugar."

The sugar trust has a total capacity of 40,000 barrels a day. Independent refiners, of whom there are ten, three being controlled by the same parties, have a total capacity of 20,000 barrels a day. The custom to-day in Cuba is for the planter to sell directly to the agent of the refiner. There is nothing to prevent him selling upon the New York market. Sugar is sold upon the New York market as sugar, according to its saccharine strength. There is no particular brand of sugar as there is of cigars. Sugar is sold as sugar and it is impossible to distinguish as to the origin of the different kinds of cane sugar of the same polarization and color. If it is possible for the American Sugar Refining Company to derive the full benefit of this revenue, or any benefit by fixing the price of Cuban sugar, it must necessarily follow that there can be two prices for the same article at the same place and at the same time, and if the price of sugar is fixed at Hamburg, as it is, this is impossible.

The next contention of these gentlemen who believe that the sugar trust would derive the full benefit of the reduction of the Dingley rate was that, as in the case of Porto Rico, the reduction would be solely for the benefit of the sugar trust, because Porto

Rican sugar failed to reach the price of Cuban sugar by 0.13 of a cent.

My distinguished colleague on the committee, the gentleman from Kansas [Mr. LONG], to whom so much is owing in bringing this bill before the House, never did a better day's work in his life, of the many good day's work that he has done, than when he proved the absurdity of this position. Gentlemen who have maintained it were so ignorant that they compared an inferior grade of Porto Rico sugar with a superior grade of Cuban sugar, but when Mr. LONG brought these two grades to a parity in saccharine strength, the price was practically identical.

The last contention was that the entire crop of Cuban sugar has been sold, or that options on it have been sold, to the American Sugar Refining Company.

Mr. THAYER. Has the gentleman any means of knowing, or can he ascertain to a certainty, what portion of the vast crop of sugar from Cuba has already been pledged or sold to the sugar trust of this country?

Mr. McCLELLAN. You mean the present crop?

Mr. THAYER. The crop now ready for sale.

Mr. McCLELLAN. It is not all ready for sale; but I have seen a statement, made on the 2d of April, which was not reduced to tons, and I did not have time to reduce it—I think my colleague on the committee, the gentleman from New York [Mr. PAYNE], stated it in his speech—I am told that he did—showing the exact amount in tons.

Mr. LACEY. I can give my friend from New York the statement showing the figures.

Mr. McCLELLAN. I thank the gentleman very much.

Mr. THAYER. From what source were the figures derived?

Mr. McCLELLAN. Let me read these letters signed "Wood, military governor."

Copy of cablegram received at War Department April 2, 1902.

HABANA, ———.

EDWARDS, War Department, Washington:

Telegrams sent to 194 sugar centrals, to which 136 answers have been received to date; also telegrams sent to 36 Cuban banking firms, to which 34 replies have been received.

Figures, according to replies received, as follows:

	Long tons.
Output for the year to March 25.....	584,259
Amount actually in hands of planters.....	217,531
Sold and delivered to island firms.....	194,913
Contracted for in the island and not yet delivered.....	43,578
Pledged as security for loans in the island, but not sold.....	255,222
Held at the option of the American Sugar Refining Company.....	3,285
Held at option of other American purchasers.....	2,285
Exported to the United States.....	25,646

All sugar above mentioned, except that at the option of American Sugar Refining Company and other American purchasers, is in the hands of Cuban planters and Cuban and Spanish commission houses doing business in the island of Cuba and is not at the option of anyone. Where held as security for loans advanced to planters, the planters will get the advantage of any raise in price under conditions of deposit, as is the custom in the island. This statement shows conclusively the absolute falsity of the declarations that the sugar trusts have control of considerable portion of Cuban sugar crop. Other statements will be furnished as soon as possible.

WOOD, Military Governor.

Received at War Department April 7, 1902.

HABANA, April 7, 1902.

Captain EDWARDS.

War Department, Washington:

Reference your telegram to-day, telegrams sent to 194 sugar centrals, as previously reported in my telegram 2d instant. Ten additional replies received since, which report as follows:

	Long tons.
Output for the year.....	24,755
Amount in hands of planters.....	13,290
Sold and delivered.....	11,311
Contracted for with island firms, but not delivered.....	3,019
Pledged as security for loans in island, but not sold.....	1,546

All sugar above mentioned is in hands of planters and Cuban and Spanish commission houses doing business in the islands with the exception of 2,385 long tons exported to United States. None at option of American Sugar Refining Company nor other American purchasers. Where held as security for loans, planters will get advantage of rise in price, as stated in telegram 2d instant. Two remaining banking firms replied: "Do not make loans on sugar." Above amounts should be added to my cable of April 3. No change in situation.

WOOD, Military Governor.

In other words, the sugar trust will not benefit from any reduction. The sole beneficiary of any reduction will be the Cuban planter.

Mr. FINLEY. Will the gentleman yield for a question?

Mr. McCLELLAN. Certainly.

Mr. FINLEY. I would like to ask the gentleman from New York whether it is not a fact that as to all the sugar which has been sold or contracted for at a given price the provisions of this bill will not benefit in any wise the planters of Cuba. That is true, is it not?

Mr. McCLELLAN. Certainly; but the amount is infinitesimal.

Mr. FINLEY. One question more. Will the gentleman agree to an amendment to except from the provisions of the bill this class of sugar—sugar which has been sold or contracted for at a given price?

Mr. McCLELLAN. I have no objection to that; as will be

developed in my remarks a little later, I am ready to go still further to join the gentleman in far more radical methods of controlling the sugar trust, if I have the opportunity.

Mr. FINLEY. I am not alluding to the sugar trust; I am alluding to the sugar which has been sold or contracted to be sold at a given price.

Mr. McCLELLAN. You mean for delivery in this country.

Mr. FINLEY. Yes; for delivery in this country.

Mr. McCLELLAN. I think it would scarcely be fair to except sugar contracted for to be delivered in Cuba, because a great many of the Cuban local refiners contract with the small cane growers in advance, not necessarily as to price; but the ordinary custom is that they contract for a certain amount of sugar at what shall be the market price when the sugar has been ground and produced.

Mr. FINLEY. I think I understand the gentleman. I have studied this bill somewhat, and read the various reports connected with it, and listened to the arguments on it. From the information that I have thus far derived I am convinced that the only argument in favor of the bill is that it is calculated to benefit the Cuban people, the sugar producers. Now, when you take away or when you give to others than the Cuban planters the benefit which will accrue under this bill, does not that destroy the argument which has been made up to this time in favor of the bill? In other words, is it not right and consistent to confine the benefits arising out of this bill to the Cuban planters and producers of sugar?

Mr. McCLELLAN. If it can be done practically, I agree with you.

Mr. FINLEY. Does the gentleman not think that this bill can be so shaped and framed?

Mr. McCLELLAN. I should be very glad to join the gentleman in an effort in that direction, but I think it would be only right to apply the same provision to all other Cuban products, although sugar is the great product, and on the same principle it might be wise—

Mr. FINLEY. If the gentleman will permit me, I will say that I am willing to apply the same principle to all other products.

Mr. McCLELLAN. I am willing to join the gentleman in the effort at any time.

Mr. COOPER of Texas. Is there any refined sugar in Cuba sold in the United States?

Mr. McCLELLAN. No.

Mr. COOPER of Texas. Is not all the Cuban sugar, or nearly all of the Cuban sugar, brought here and handled by the sugar-trust refineries?

Mr. McCLELLAN. No; but I should say, roughly, it is handled by the sugar trust in the proportion of about 4 to 2 or 2 to 1.

Mr. COOPER of Texas. It goes through the sugar trusts.

Mr. McCLELLAN. Not all of it.

Mr. COOPER of Texas. They purchase that which they sell to the American consumer.

Mr. McCLELLAN. Certainly, they do not get it free. [Laughter.]

Mr. COOPER of Texas. They do not charge a toll for refining, do they?

Mr. McCLELLAN. Oh, yes, they do; about a cent.

Mr. COOPER of Texas. But the great quantity of Cuban raw sugar comes to the American refineries, and is refined and sold to the American consumer.

Mr. McCLELLAN. I should say that two-thirds was refined by the sugar trust and about one-third by independent refiners.

Mr. SPARKMAN. Will the gentleman yield?

Mr. McCLELLAN. Certainly.

Mr. SPARKMAN. About what proportion of the sugar production of Cuba is used in the United States?

Mr. McCLELLAN. Oh, virtually all, except a small amount. Cuba is poor and hard up, and she can not now afford the luxury of sugar for home consumption.

Mr. SHALLENBERGER. Do I understand that the gentleman agrees that the entire benefit of this reduction is to go to the Cuban planters?

Mr. McCLELLAN. If the gentleman will permit me, I would like at this point to enlarge a little on that subject. The beet-sugar people have made their opposition to this bill on the ground that reduction in the Dingley rates will so stimulate the prosperity of Cuba, and so stimulate the production of cane sugar, that we will become an exporting instead of an importing country in sugar. If the production of sugar in Cuba becomes sufficiently large—were that much desired state of affairs to come about—then our market price will be fixed by the law of supply and demand.

To-day the market price is fixed in Hamburg, and as long as we import any large amount or any appreciable amount of Hamburg sugar, the price in New York will be fixed in Hamburg. Just as soon as we begin to export the price will be fixed in New York by the law of supply and demand, and then must neces-

sarily fall to the consumer. Of course the result of that would be that while the sugar trust might be driven out of business, the excellent Mr. Oxnard would probably be driven out of business at the same time, and that is what the beet-sugar industry fears. [Laughter.]

Mr. SHALLENBERGER. I want to simply ask you if you agree with the gentleman from New York?

Mr. McCLELLAN. I have no doubt that at present a 20 per cent reduction—

Mr. SHALLENBERGER. Would have no effect on the sugar consumed.

Mr. McCLELLAN. No; I am afraid not.

Mr. COOPER of Texas. Has not the Cuban producer of sugar already a protection that no other producer has?

Mr. McCLELLAN. Oh, no. Mr. Oxnard to-day has conceded himself that he has an ad valorem protection of 94 per cent on his product.

Mr. COOPER of Texas. I say no foreign producer of sugar.

Mr. McCLELLAN. Inasmuch as there is no countervailing duty the Cuban producer has; but the gentleman forgets there is no bounty paid on Cuban sugar.

Mr. COOPER of Texas. But there is a countervailing duty charged here against all sugar grown elsewhere.

Mr. McCLELLAN. Certainly, certainly, certainly.

Mr. COOPER of Texas. Then does he not get the advantage of that?

Mr. McCLELLAN. As far as it goes; but the gentleman forgets the fact that the German sugar raiser can sell his sugar at the port of Hamburg for 1.47 cents a pound, which cost him 1.80 cents a pound to raise, thanks to the bounty and the cartel. If the gentleman listened to the hearings, according to Professor Wiley, who takes the same position that the gentleman does, and who made little stump speeches every quarter of an hour against reciprocity—Professor Wiley says that the countervailing duty only countervails direct bounty and does not in any way reach the operation of the cartel. [Applause.] In other words, Cuba is not as well off as any country of Europe.

Mr. ROBERTSON of Louisiana. If the gentleman will allow me—

Mr. McCLELLAN. If the gentleman will excuse me, I should like to have a chance to say something myself.

Mr. WM. ALDEN SMITH. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. McCLELLAN. To my esteemed friend, certainly. [Laughter.]

Mr. WM. ALDEN SMITH. I should like to ask the gentleman if it is not a fact that the Indian Government has countervailed against the cartel?

Mr. McCLELLAN. Yes. We have not; but we ought to.

Mr. WM. ALDEN SMITH. Does not that establish a precedent?

Mr. McCLELLAN. It establishes a precedent which we ought to follow, but we have not followed it.

Mr. WM. ALDEN SMITH. I understood you to say we could not follow it.

Mr. McCLELLAN. Nothing of the kind. The gentleman is entirely mistaken. I said we have not followed it. I have not said that we ought not to follow it. I have said that our countervailing duty is absolutely insufficient to meet the countervailing duty which results from the cartel. The gentleman would have understood that if he had only listened to me, but I can not expect that of him. [Laughter.]

This bill consists of one section divided into four parts: First, a declaration of the purposes of the bill; second, certain conditions precedent upon the accomplishment of which by Cuba a horizontal reduction of 20 per cent on the part of the United States will come into effect, limited to a period of one year and eight months, which is the fourth part of the bill.

If the friends of the bill are accused of trying to make the least possible concession, of trying to save their faces, of trying to protect beet-sugar, and of trying, by refusing to consider the removal of the differential, to protect the American Sugar Refining Company, they have nobody but themselves to blame.

The bill has been attacked by my colleague the gentleman from Nevada [Mr. NEWLANDS] on the ground that it is sentimental legislation. That kindly, gentle soul tries to pose as being filled with the wormwood and the gall of cynicism, wishing to be paid for fulfilling an obligation cent per cent at market value. [Laughter.] The gentleman from Nevada sees fit to insist that Cuba must be annexed before she will be permitted to be prosperous. If the courteous highwayman, placing a revolver at my chest, asks me to give him my watch and pocketbook, I have the option to refuse, of course. The gentleman from Nevada offers Cuba the choice of starvation or annexation. Of course she can decline to be annexed.



For the benefit of the gentleman from Nevada let me suggest to him that there is a business side to this proposition which will even satisfy his dark and piratical soul. [Laughter.] The alleged purpose of the bill is to acquire reciprocal trade relations with Cuba. For the past three years our trade with Cuba has been steadily falling—that is, the imports into Cuba from the United States have been steadily decreasing. In 1899 the total imports from the United States to Cuba, excepting coin, were \$29,580,657, as against \$36,728,028 from other countries. In 1900 the imports from the United States had fallen to \$29,225,123, as against \$37,239,344 from other countries, while in 1901 the imports from the United States had fallen to \$28,017,820 and from other countries had risen to \$38,554,982.

The avowed purpose of this bill is to acquire for the United States the \$38,554,982 of trade now furnished by foreign countries. During the past year there have been bought by Cuba from the United States of beef and meats other than fresh, \$64,732, as against \$1,917,016 from other countries; of rice—and this is a product belonging to the district and the State of my colleague, the gentleman from Louisiana [Mr. ROBERTSON]—of rice, \$3,481, as against \$3,332,019. Oh, what an opportunity for Louisiana! [Laughter.] Of garden vegetables, \$868,223 from the United States, as against \$1,255,902 from other countries; of wine, \$6,493, as against nearly \$1,846,989 from other countries; and so on, and so on.

Mr. NEWLANDS. Will the gentleman permit me?

Mr. McCLELLAN. Certainly, my piratical friend. [Laughter.]

Mr. NEWLANDS. The gentleman proposes to secure trade with Cuba which now goes to other countries?

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. By this reciprocal arrangement?

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. Will the gentleman be good enough to state how it is to be accomplished? Is it to be accomplished by the reduction of 20 per cent upon the present Cuban tariff to American products, or is it to be accomplished by maintaining the present tariff so far as American products are concerned, and increasing the tariff 20 per cent as to all foreign products outside of America?

Mr. McCLELLAN. If the gentleman had not shown something of undue impatience, I was about to make a statement which would have obviated the necessity for the question.

Mr. NEWLANDS. I wished to ask the gentleman whether that is not the way in which they propose to do it.

Mr. McCLELLAN. I was going to answer the gentleman's question with another—[laughter]—a case of teacher and scholar. Is the 20 per cent reduction on the present Cuban tariff, which is, after all, a revenue tariff, of the kind the gentleman approves? Is that 20 per cent reduction sufficient to give us a monopoly of the Cuban market? If it is not, it will be necessary for Cuba to increase her tariff as against the world. My idea is that the simplest way, and there is a way certainly of making a monopoly of the Cuban market, will be for the gentleman to join with me in my efforts later on, when this bill is read under the five-minute rule, to increase the reduction to 50 per cent or 40 per cent or 33½ per cent, which will most certainly give the United States a monopoly of the Cuban market. [Loud applause.]

Mr. NEWLANDS. Will the gentleman answer me this question: Does he not understand that the Cubans propose to make this effective in giving America control of the Cuban markets by letting the present revenue tariff remain, so far as American products are concerned, and increasing the tariff on other foreign products? And I wish to ask the gentleman whether, so far as it is developed, the representatives of Cuba do not in that way propose to turn Cuba from a tariff for a revenue system to a protective-tariff system, and thus secure protection to American interests?

Mr. McCLELLAN. If the gentleman fears that unrighteous result let him join me in reducing it 50 per cent.

Mr. WM. ALDEN SMITH. I desire to ask the gentleman if he limits his ambition to a reduction of 50 per cent?

Mr. McCLELLAN. I have limited my ambition to a reduction of 50 per cent for this reason: In view of the fact that Cuba is a new Latin republic it is probable that she will have to depend upon her customs revenue for the purposes of government until we permit her to become prosperous, and therefore a greater reduction than 50 per cent would probably so far curtail her revenue as to disorganize her financial system. I would cheerfully vote for free trade with Cuba, if that is any satisfaction to the gentleman.

Mr. WM. ALDEN SMITH. I thought that was what the gentleman would come to.

Mr. McCLELLAN. Certainly. But she can not get on without a customs revenue.

Some of the opponents of this bill have professed to see a grave objection in the reciprocal feature of the bill. I know that two of my committee colleagues have in their reports suggested, one directly, the other by implication, that my Democracy is not sound, because I believe in reciprocity.

I know that some gentlemen on this side are inclined to look on reciprocity with grave doubt, fearing lest it will prevent the ultimate triumph of the great and sacred doctrine of free trade. They believe in free trade, and failing in that they do not want any reduction in the tariff. [Laughter.] Now, I may be right, and I may be wrong, and I should like to read to them certain quotations from the fathers, who until recently have never been suspected of being other than Democrats.

I may call to their attention the fact that the first treaty of reciprocity was negotiated by Franklin Pierce, a Democratic President. The Hawaiian treaty of reciprocity was renewed by a Democratic President, Grover Cleveland. The platform of 1892 proclaimed the doctrine, but what I want to call their attention to is the "report on the privileges and restrictions on the commerce of the United States in foreign countries," sent to the House of Representatives (this same House) on December 16, 1793, some years before my two committee colleagues became members. It was submitted by the then Secretary of State, Thomas Jefferson. In it he says:

Such being the restrictions on the commerce and navigation of the United States, the question is, in what way they may best be removed, modified, or counteracted?

As to commerce, two methods occur: First, by friendly arrangements with the several nations with whom these restrictions exist, or, second, by the separate act of our own legislatures for countervailing their effects.

There can be no doubt but that of these two, friendly arrangements is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world, could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the numbers of mankind would be increased and their condition bettered.

Would even a single nation begin with the United States this system of free commerce it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue by way of impost on commerce its freedom might be modified in that particular by mutual and equivalent measures, preserving it entire in all others.

Some nations, not yet ripe for free commerce in all its extent, might still be willing to mollify its restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature. Our commerce is certainly of a character to entitle it to favor in most countries. The commodities we offer are either necessities of life or materials for manufacture or convenient subjects of revenue, and we take in exchange either manufactures—when they have received the last finish of art and industry—or mere luxuries.

Such customers may reasonably expect welcome and friendly treatment at our market. Customers, too, whose demands, increasing with their wealth and population, must very shortly give full employment to the whole industry of any nation whatsoever, in any line of supply they may get into the habit of calling for from it.

But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties, and regulations also. Free commerce and navigation are not to be given in exchange for restrictions and vexations, nor are they likely to produce a relaxation of them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLELLAN. I ask unanimous consent that I may conclude my remarks. I have been interrupted so much. I will not take long.

The CHAIRMAN. The gentleman asks unanimous consent that his time may be extended. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLELLAN. Thank you, Mr. Chairman.

I know that some earnest protectionists object to this reciprocal feature of the bill; they brush aside the cheap sophistry that reciprocity is "the handmaiden of protection," and know that this is the first step in the direction of a revision of the tariff and the reduction of the preposterous Dingley rates. This argument may have terrors for Republicans, but it should have no terrors whatever for Democrats.

The bill before us provides for a reduction of all Cuban products—but in considering it we should consider sugar chiefly—of 20 per cent. The present loss to Cuba under the Dingley rates, assuming that the present crop will amount to 850,000 tons, and that Cuba can market it at yesterday's price of 8½ cents per pound, will amount to \$8,320,000. A 20 per cent reduction will still show a loss of \$1,904,000 on this year's crop, or 5 per cent of the total cost.

A reduction of 25 per cent will still show a loss of \$305,000, or eight-tenths of 1 per cent on the cost. It is not until we reach a reduction of 33½ per cent at the present price that we find a profit of \$2,380,000, or 6.2 per cent profit on the cost of the present crop. In other words, this bill in its 20 per cent feature must be defended on the ground not that it permits Cuba to market her crop at a profit, but on the ground that it does partially reduce the loss. It is not a complete fulfillment of our pledge; it is only a step toward that fulfillment.

It has been further said by the distinguished chairman of our committee that the time has been limited to the 1st of December, 1903, because the Brussels convention will be in force then and sugar will go up a cent a pound, and Cuba will make a profit of



50 or 60 per cent on the cost of the crop. Professor Wiley, the most hidebound of all the representatives of the beet-sugar industry who appeared before us, only claimed, when trying to make out the best possible case for beet sugar, that the Brussels conference would increase the price of sugar four-tenths of a cent a pound. Assuming that it does, assuming that it goes up one-half a cent, and that would be 4 cents a pound, under the Dingley rate that would represent a profit of less than a million dollars on the total crop of 850,000 tons, or the magnificent profit of 2½ per cent and not 50 or 60 per cent.

Assuming that the result of the Brussels conference only brings sugar up to 3½ cents per pound, there will be no 50 or 60 per cent profit, but a loss of \$1,871,000, or 3.6 per cent on the cost of production.

Mr. NEWLANDS. Will the gentleman permit an interruption?

Mr. McCLELLAN. Certainly.

Mr. NEWLANDS. Does the gentleman regard it as the duty of the United States from year to year to save Cuba from loss on sugar production?

Mr. McCLELLAN. I regard it as the sacred duty of the United States, having taken willingly and cheerfully an obligation, having contracted a debt, to pay it back in full. [Applause.]

Mr. NEWLANDS. Very well. The gentleman proposes to make a reduction of 50 per cent, which will give the Cuban planter \$15,000,000 more than they would receive under the present rates and at the present price of sugar.

Mr. McCLELLAN. Oh, no.

Mr. NEWLANDS. How much, then?

Mr. McCLELLAN. Twenty per cent shows a loss of \$2,000,000 and over.

Mr. NEWLANDS. What I contend is that the gentleman proposes a reduction of 50 per cent, which will give them \$15,000,000 more than they would receive if they accepted the world's price of sugar to-day.

Mr. McCLELLAN. Hardly that. I grant the gentleman it would give them a profit. It would give them 15 per cent profit on the present crop.

Mr. NEWLANDS. Cuba has 850,000 tons. Our present duty is \$34 a ton, which would make it about \$30,000,000. Now, if the gentleman proposes to reduce that 50 per cent, does it not mean that the Cuban planter will receive \$15,000,000 more than they would receive by accepting the world's price?

Mr. McCLELLAN. No. The gentleman forgets the shipping charges and the costs. The gentleman forgets that the total reduction is not going back to Cuba in a lump sum to the planter; you have got to figure it out from the start down. If the gentleman figures it out that way, I have not the figures showing what it would be at 50 per cent. At 40 per cent it shows a profit of \$4,512,000.

Mr. NEWLANDS. I ask the gentleman from New York if the Cuban planters would not receive under a 50 per cent reduction \$15,000,000?

Mr. McCLELLAN. He would receive the difference of 50 per cent of 1.685.

Mr. NEWLANDS. I would like the gentleman to answer how much they will receive in addition to the world's price of sugar.

Mr. McCLELLAN. The Cuban planter receives to-day the price at Habana, which is the New York price less the duty and the shipping charges. But the gentleman must understand that the cost is greater by 0.315 per cent than the New York price. Now, if we give the Cuban planter 40 per cent reduction—I speak of 40 per cent only because I have the figures on that basis—I am trying to deal fairly and openly with the gentleman, and not to dodge any question that might arise upon a basis of 50 or 60 or 75 per cent reduction—if you give him a 40 per cent reduction on the present price he would receive a profit on every pound of sugar of 0.237 of a cent. Now, under the Dingley rate he will be receiving at Habana a price of less than 2½ cents, while the price at New York would be 3½ cents. He would be getting a cent less than the New York price.

Mr. NEWLANDS. These figures are entirely confusing to me—

Mr. McCLELLAN. Well, I can not guarantee that I will print my speech to-night, but when it is printed, if the gentleman will sit down and study it, or if he will read my report, which is short, I think this question will be perfectly clear to him. I do not want to keep the House here much longer—

Mr. NEWLANDS. I want the gentleman to state in gross the amount which the Cuban planter would receive if this 50 per cent reduction should take place in addition to what he receives to-day.

Mr. McCLELLAN. As I have already tried to explain to the gentleman, he would receive—

Mr. NEWLANDS. Can the gentleman state the specific amount?

Mr. McCLELLAN. If the gentleman would take his very active pen in hand—a pen that never grows weary—and multiply the difference between a loss of 0.315 of a cent and a profit of 0.237

of a cent and multiply that by 1,904,000,000, he will get his answer. [Laughter.]

Mr. SCOTT. Allow me to ask the gentleman one question. The gentleman's colleague [Mr. PAYNE] stated to the House in his opening address that if this reduction were made the Cuban product could be sold at a reasonable profit. The gentleman on the floor now tells us, in contradiction of his colleague, the chairman of the committee, that if this reduction be made the crop will be sold at a loss.

Mr. McCLELLAN. Yes.

Mr. SCOTT. Now, both of these gentlemen being members of the Committee on Ways and Means, and having given this matter thorough study, are entitled to be called experts. It seems to me, then, that this ought to be with them not a matter of conjecture, but of positive demonstration. I should therefore like the gentleman on the floor to tell, if he can, briefly how it happens that he has arrived at one conclusion and his colleague on the committee at another conclusion, while they are presumably figuring upon the same basis of facts.

Mr. McCLELLAN. I may suggest to the gentleman that my colleague on the committee, as well as my colleague in the delegation [Mr. PAYNE], possesses a bright and cheerful nature. He has not exaggerated, but he has taken the rosy view of everything that he has come in contact with. He has assumed, for instance, that the Brussels convention will raise the price of sugar 1 cent a pound, when, to be perfectly frank, there was no evidence before the committee that such would be the case. I do not mean to imply that the gentleman has undertaken to mislead the House; I think he is wrong, that is all.

Now, Mr. Chairman, to continue where I left off—

Mr. NEWLANDS. Will the gentleman permit me to make a little calculation?

Mr. McCLELLAN. Most cheerfully, only I would rather not, because I do not want to detain the House.

Mr. NEWLANDS. I do not wish to interrupt the gentleman—

The CHAIRMAN. The gentleman from New York [Mr. McCLELLAN] declines to yield.

Mr. McCLELLAN. No, I do not decline; the gentleman is always so charming and so persistent that I can not.

Mr. NEWLANDS. As I understand it, the present duty on sugar is about \$1.70 a hundred pounds—

Mr. McCLELLAN. How much?

Mr. NEWLANDS. One dollar and seventy cents.

Mr. McCLELLAN. Oh, no; \$1.68½ per 100 pounds of centrifugal 96° polarization. [Laughter.]

Mr. NEWLANDS. Which is about \$34 a ton. Now, it is proposed that Cuba shall import into this country 850,000 tons. Multiplying that by \$34 a ton—

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. You make very nearly \$30,000,000.

Mr. McCLELLAN. Yes.

Mr. NEWLANDS. Which the Government would receive as a duty on that sugar.

Mr. McCLELLAN. Granted.

Mr. NEWLANDS. If the gentleman proposes to reduce that 50 per cent, it necessarily means that the Treasury of the United States loses \$15,000,000 and that the Cuban planters gain \$15,000,000. Now, I want to ask the gentleman whether he thinks it is the duty of this country to forever save the Cuban planters from loss year after year; if the property remains in the present condition, to give them out of the taxes of the Treasury, imposed upon our people as an additional price for sugar, \$15,000,000?

Mr. McCLELLAN. I will answer that by asking the genial though somewhat cynical gentleman from Nevada another question. The gentleman proposes, as I have suggested, to seize Cuba, to lay violent hands on Cuba and forcibly annex her, giving her the choice of starvation.

Mr. NEWLANDS. Not at all.

Mr. McCLELLAN. That being the case, the Treasury, which the gentleman desires to protect with all the industry and energy that are in him—and both are great—the Treasury will not lose \$15,000,000, but the people of the United States will lose the whole thirty-three millions under annexation.

Mr. NEWLANDS. That is true, and the Cuban planters will get \$30,000,000 more than under existing conditions, but they will then be Americans—not foreigners—and as American citizens will have the benefit of the laws that apply to the entire country.

Mr. McCLELLAN. Yes; and the gentleman wants to do it. I have no objection to the reduction of rates, but I have to the method employed.

Mr. NEWLANDS. Provided the duty remains the same. Let me ask another question. The gentleman says there is a compensating—

Mr. McCLELLAN. Oh, Mr. Chairman, Mr. Chairman!

Mr. NEWLANDS. The gentleman says there is a compensating loss in the imports into Cuba of the manufactured products



of this country, the products manufactured by the trusts. Now, then, does he say that they will get an additional profit of \$15,000,000?

Mr. McCLELLAN. Oh, the trust; no. I settled that question before. Mr. Chairman, I must really go on.

Mr. PAYNE. Will the gentleman yield?

Mr. McCLELLAN. Certainly.

Mr. PAYNE. I would like to ask if the gentleman will yield now to a motion to rise and then take the floor in the morning?

Mr. McCLELLAN. It will take me only a few minutes to finish, and I would rather go on now. There is one other point that has worried the gentlemen on this side of the House, and that is this: Gentlemen who are strict construers of the last party platform have sought in vain in the Kansas City platform for light and leading on this subject. They have sought in vain, for there is a higher principle involved than is contained in any mere iteration of words, and that is, that the good faith of the United States should be as good as the bond of any other nation. [Applause.] The great expounder of the Kansas City platform has expressed himself on this question. Let me read from the Commoner, William Jennings Bryan, editor and proprietor, Lincoln, Nebr., March 14, 1902, and I submit this most respectfully to the gentleman from Nevada [Mr. NEWLANDS]:

The beet-sugar business of this country amounts to about \$5,000,000 annually. To protect this, Congress is willing to perpetrate injustice—tax millions of consumers and ignore popular demand. Of course it is a Republican Congress.

In his message to Congress Mr. Roosevelt said:

"I must earnestly ask your attention to the wisdom—indeed, the vital need—of providing for substantial reduction in the tariff duties on Cuban imports into the United States."

The Republicans in the House propose to make a 20 per cent reduction, which, according to General Wood, is by no means sufficient, and there are indications that on this point some Republicans in the House are determined that justice shall be done the Cubans somewhere reasonably in line with the suggestions made by General Wood. This will be another opportunity for President Roosevelt to test himself and for the American people to test Mr. Roosevelt.

The Chicago Record-Herald, a Republican paper, says that on this question "American honor is at stake." The Record-Herald says that the Republican majority "has made a sorry exhibition of itself in its anti-Cuban caucuses." It remains to be seen whether Mr. Roosevelt will compromise upon this "vital need" and accept whatever sop to Cuba the trust magnates are willing for the Republican leaders in the House to bestow.

[April 4, 1902.]

American consumers are taxed on 2,000,000 tons of sugar in order to benefit the producers of 100,000 tons of beet sugar. The beet-sugar syndicate is in the saddle.

Of course the men who arbitrarily fix the price of sugar beets are weeping most copiously at the thought that the beet raiser may be ruined by tariff concessions to Cuba.

Mr. COOPER of Texas. For what purpose does the gentleman read that?

Mr. McCLELLAN. I read it for the purpose of giving light and leading to Democrats upon this side of the House, including the gentleman from Texas.

Mr. FITZGERALD. There is nobody who questions Mr. Bryan, is there?

Mr. PIERCE. Will the gentleman accept him on all propositions?

Mr. McCLELLAN. I think the Democracy preached by William Jennings Bryan is pretty sound Democracy, nine cases out of ten. [Applause on the Democratic side.]

The effect of the enactment of this bill in its present form will be that Cuba will market this year's crop, with good luck, with comparatively small loss; but as no hope is held out for the future, and as planters are not going to continue in business without a reasonable prospect of profit, next year's crop will be reduced to almost nothing, and the threatened bankruptcy of the new Republic will sooner or later occur.

A 33½ per cent reduction, or even a 25 per cent reduction, would give the planters of Cuba a slight profit for the present, a slight profit for next year's crop, and a certainty of considerable dividends as soon as the Brussels convention is in full operation. But we are under obligations to the new Republic, not only as a nation, but as individuals, by our several votes for the Teller resolutions and the Platt amendment, and so if the majority sees fit to limit the payment of that obligation in the interests of a selfish, greedy, beet-sugar trust, we are perforce compelled to follow them in that part payment.

We are under an obligation to Cuba of our own seeking, an obligation that should not be fulfilled in part, but entire. The word of the United States should be as good as the bond of any other nation. This bill does not completely fulfill our obligation; it is not all that it ought to be, but at least it is a step in the right direction. It does not afford sufficient relief to Cuba, but it does minimize the loss on the present crop of sugar. It is possible, but by no means certain, that a 20 per cent reduction of the Cuban rates will be sufficient to give us the monopoly of the Cuban market.

The bill is an enunciation of the Democratic doctrine of reciprocity; it is a breach in the wall of protection, and lowers in part, at least, the preposterous Dingley rates. If I am afforded an op-

portunity I shall try to amend by increasing the rates of reduction so as to make certain not only the control of the Cuban market by us, but also the prosperity of Cuba. I shall also try to amend by striking out the time limit. Failing in these amendments, I shall be constrained to vote for the bill; I can not see how I can do otherwise as a Democrat and as an American. I can not see how the Democratic party can take any other position.

Mr. Chairman, it has been suggested to those of us who take the position that this bill does not accomplish all it should, that it is only a partial fulfillment of our obligation, but that none the less we should vote for it, failing to amend—it has been suggested to us that we are making a mistake, that we are failing to take political advantage of the opportunity afforded to us by our opponents. It has been suggested to us that we ought to let the Republican party shoulder the responsibility of failing to give any concession to Cuba.

It seems to me, Mr. Chairman, that there are questions that rise above petty politics; that there are questions involving the dignity and the honor of the United States, on which there should be no division. If I have erred in my position, if I am mistaken in the way in which I intend to vote, I am willing to take the responsibility, conscious of the fact that I have done my duty to the best of my ability, according to the light God gave me. [Loud applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba, and had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 10117. An act granting a pension to Sarah H. H. Lowe; and

H. R. 10530. An act to repeal war-revenue taxation, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1025. An act to promote the efficiency of the Revenue-Cutter Service;

S. 3513. An act authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo.;

S. 2442. An act confirming title to the State of Nebraska of certain selected indemnity school lands.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 150. An act for the establishment of an assay office at Provo City, Utah—to the Committee on Coinage, Weights, and Measures.

S. 642. An act to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands—to the Committee on Public Lands.

S. 1556. An act to provide for the purchase of a site and the erection of a public building thereon at Sterling, in the State of Illinois—to the Committee on Public Buildings and Grounds.

S. 5046. An act for the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia—to the Committee on the District of Columbia.

S. 4284. An act to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889—to the Committee on Indian Affairs.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOHNSON, for one day, on account of important business.

To Mr. ELLIOTT, indefinitely, on account of important business.

LOWELL M. MAXHAM.

By unanimous consent, on motion of Mr. McCALL, leave was granted to withdraw from the files of the House, without leaving copies, papers in the case of Lowell M. Maxham, Fifty-sixth Congress, no adverse report having been made thereon.

And then, on motion of Mr. PAYNE (at 5 o'clock and 6 minutes p. m.), the House adjourned.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy

of a communication from the Secretary of the Navy submitting an estimate of appropriation for quarters for marines at Culebra, P. R.—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with accompanying documents, a response to the inquiry of the House in relation to the transport service between San Francisco and the Philippine Islands—to the Committee on Military Affairs, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 97) to authorize the Secretary of War to furnish duplicate certificates of discharge, reported the same without amendment, accompanied by a report (No. 1510); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2782) to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company, reported the same with amendment, accompanied by a report (No. 1512); which said bill and report were referred to the House Calendar.

Mr. ROBERTS, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 10144) to donate to the State of Alabama the spars of the captured battle ships *Don Juan d'Austria* and *Almirante Oquendo*, reported the same with amendments, accompanied by a report (No. 1513); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9776) granting an increase of pension to Alice A. Fitch, reported the same with amendment, accompanied by a report (No. 1480); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10321) granting a pension to Susan A. Phelps, reported the same with amendments, accompanied by a report (No. 1481); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11665) granting an increase of pension to Caleb C. Briggs, reported the same with amendment, accompanied by a report (No. 1482); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 181) granting an increase of pension to William C. David, reported the same without amendment, accompanied by a report (No. 1483); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12299) granting a pension to William C. Roberts, reported the same with amendment, accompanied by a report (No. 1484); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13323) granting an increase of pension to Mary E. Barger, reported the same with amendments, accompanied by a report (No. 1485); which said bill and report were referred to the Private Calendar.

Mr. APLIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13321) granting an increase of pension to John S. Bonham, reported the same with amendments, accompanied by a report (No. 1486); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12724) granting an increase of pension to Richard M. Kellough, reported the same without amendment, accompanied by a report (No. 1487); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1331) granting

an increase of pension to John Ludwig, reported the same with amendment, accompanied by a report (No. 1488); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12458) granting an increase of pension to William M. Barstow, reported the same with amendments, accompanied by a report (No. 1489); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid pensions, to which was referred the bill of the House (H. R. 13019) granting an increase of pension to Marietta Elizabeth Stanton, reported the same with amendments, accompanied by a report (No. 1490); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13371) granting an increase of pension to Charles D. Palmer, reported the same with amendment, accompanied by a report (No. 1491); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2289) granting an increase of pension to Pistar Ingram, reported the same with amendment, accompanied by a report (No. 1492); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9833) granting an increase of pension to Margaret McCuen, widow of Alexander McCuen, reported the same with amendments, accompanied by a report (No. 1493); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4404) granting an increase of pension to Otto H. Hasselman, reported the same without amendment, accompanied by a report (No. 1494); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8429) granting a pension to Dollie M. Cronkite, reported the same without amendment, accompanied by a report (No. 1495); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8466) granting a pension to Lucinda A. Sirwell, reported the same with amendment, accompanied by a report (No. 1496); which said bill and report were referred to the Private Calendar.

Mr. DARRAGH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5951) granting an increase of pension to Ole Thompson, reported the same with amendment, accompanied by a report (No. 1497); which said bill and report were referred to the Private Calendar.

Mr. NORTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5219) granting an increase of pension to Daniel Donne, reported the same with amendments, accompanied by a report (No. 1498); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6006) granting a pension to John Canty, reported the same with amendments, accompanied by a report (No. 1499); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7491) granting an increase of pension to William H. Chapman, reported the same with amendment, accompanied by a report (No. 1500); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7815) granting a pension to Nancy A. Killough, reported the same with amendment, accompanied by a report (No. 1501); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7334) granting an increase of pension to Ira L. Evans, reported the same with amendments, accompanied by a report (No. 1502); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3263) granting an increase of pension to John Revley, reported the same without amendment, accompanied by a report (No. 1503); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 2974) for the relief of J. V. Worley, reported the same without amendment, accompanied by a report (No. 1505); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5020) granting an increase of pension to Courtland C. Matson, reported



the same with amendment, accompanied by a report (No. 1506); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12489) granting an increase of pension to Ebenezer Wilson, reported the same with amendment, accompanied by a report (No. 1507); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11812) granting an increase of pension to Martin Boice, reported the same with amendment, accompanied by a report (No. 1508); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4643) granting an increase of pension to Pheobe L. Peyton, reported the same without amendment, accompanied by a report (No. 1509); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 10457) for the relief of Abram G. Hoyt, reported the same without amendment, accompanied by a report (No. 1511); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 12659) granting an increase of pension to Eveline V. Ferguson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11358) for the relief of Thomas T. Dunn and others—Committee on Private Land Claims discharged, and referred to the Committee on the Public Lands.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. COOPER of Wisconsin: A bill (H. R. 13445) temporarily to provide for the administration of civil affairs in the Philippine Islands, and for other purposes—to the Committee on Insular Affairs.

By Mr. DAYTON (by request): A bill (H. R. 13446) allowing three months' extra pay to United States Navy enlisted men who served outside the United States, and one month's extra pay to such as served within the United States during the Spanish-American war—to the Committee on War Claims.

By Mr. SMALL: A bill (H. R. 13447) to prohibit the sale or manufacture of distilled spirits, fermented liquors, or wines under the authority of the United States in States where the same is prohibited by the laws of said States—to the Committee on the Judiciary.

Also, a bill (H. R. 13448) to provide for terms of the United States district courts at Greenville, N. C.—to the Committee on the Judiciary.

By Mr. WEEKS, from the Committee on Elections No. 3: A resolution (H. Res. 204) in the contested-election case of James A. Walker v. William F. Rhea, Ninth district of Virginia—to the House Calendar.

By Mr. TAWNEY: Memorial of the legislature of Minnesota favoring the passage of Senate bill 3575, to increase the powers of the Interstate-Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the legislature of Minnesota, respecting the 5 per cent of the minimum price of the lands that have been appropriated as compensation for military services rendered the United States since the admission of Minnesota into the Union—to the Committee on the Public Lands.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 13449) granting an increase of pension to Mary A. E. Scott—to the Committee on Pensions.

By Mr. CAPRON: A bill (H. R. 13450) granting an increase of pension to Henry F. Hunt—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 13451) for the relief of the legal representatives of Abraham Laurence, deceased—to the Committee on Claims.

By Mr. McCALL: A bill (H. R. 13452) granting a pension to Rose Murphy—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 13453) for the relief of Charles Mohn—to the Committee on Military Affairs.

By Mr. FLYNN: A bill (H. R. 13454) for the relief of Caroline H. Goben—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13455) granting an increase of pension to Delos W. Hare—to the Committee on Invalid Pensions.

By Mr. JACKSON of Kansas: A bill (H. R. 13456) granting an increase of pension to Thomas Louderback—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 13457) granting an increase of pension to John S. Crosser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13458) granting an increase of pension to Enos Paulin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13459) granting a pension to Mary Ellen White—to the Committee on Pensions.

By Mr. LASSITER: A bill (H. R. 13460) for the relief of the estate of Peter McEnery, deceased—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 13461) granting a pension to Walter S. Buchanan—to the Committee on Invalid Pensions.

By Mr. ROBERTS: A bill (H. R. 13462) authorizing the President of the United States to nominate Lieut. Commander W. P. Randall, now on the retired list, to be a commander on the retired list—to the Committee on Naval Affairs.

By Mr. ROBINSON of Nebraska: A bill (H. R. 13463) granting an increase of pension to Hiram A. Hober—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 13464) granting a pension to Mary Aby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13465) granting an increase of pension to William S. Foster—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 13466) for the relief of Joseph A. Farrow—to the Committee on War Claims.

By Mr. CONNER: A bill (H. R. 13467) granting a pension to Joseph H. Woodniff—to the Committee on Invalid Pensions.

By Mr. CONRY: A bill (H. R. 13468) granting a pension to Joseph S. Hess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13469) granting an increase of pension to Daniel R. Hanwell—to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 13470) granting an increase of pension to George W. G. Russell—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13471) for the relief of Sarah E. Cady—to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 13472) granting an increase of pension to Lewis E. Wilcox—to the Committee on Invalid Pensions.

By Mr. RAY of New York: A bill (H. R. 13473) granting an increase of pension to Mary A. Aldrich—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Paper to accompany House bill 11357, for the relief of W. P. Fryer—to the Committee on Invalid Pensions.

Also, resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. ALEXANDER: Resolutions of Tar and Gravel Roofers' Union No. 8450, of Buffalo, N. Y., for the exclusion of illiterate immigrants—to the Committee on Immigration and Naturalization.

By Mr. APLIN: Resolutions of Ship Carpenters' Union No. 8511, West Bay City, Mich., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization. Also, petition of St. Stanislaus Benevolent Society, of Alpena, Mich., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

Also, resolutions of Merchants and Manufacturers' Exchange of Detroit, Mich., favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the same, favoring House bill 8337, to amend an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. BATES: Petition of Marine Engineers' Beneficial Association, relating to licensing marine engineers—to the Committee on the Merchant Marine and Fisheries.

By Mr. BULL: Protest of Hugh P. Mulholland, of North Tiverton, R. I., against provision for a representative of the United States at the coronation of the King of England—to the Committee on Foreign Affairs.

By Mr. DALZELL: Petitions of Polish societies of Pittsburg and Braddock, Pa., favoring House bill 16, for the erection of an equestrian statue of the late General Pulaski at Washington, D. C.—to the Committee on the Library.

Also, resolutions of Brotherhood of Railroad Trainmen of

Sharpsville, Pa.; Order of Railway Conductors of Sunbury, Pa.; Brotherhood of Locomotive Engineers of Lebanon and Greensburg, Pa., and Locomotive Firemen of Harrisburg, Pa., favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Brotherhood of Railroad Trainmen of Easton, Pa., for the enactment of the Foraker-Corliss bill, amending the law relating to safety appliances—to the Committee on Interstate and Foreign Commerce.

Also, petition of Typographical Union of Philadelphia, Pa., urging the defeat of House bill 5777 and Senate bill 2894, amending the copyright law—to the Committee on Patents.

Also, petition of Bricklayers' Union No. 2, of Pittsburg, Pa., in favor of the extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. DAYTON: Petition of United States Naval Volunteers of the Spanish-American war for two months' extra pay—to the Committee on Naval Affairs.

By Mr. DOVENER: Petition of Burley Clemens and 22 other citizens of Marshall County, W. Va., in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. DRAPER: Memorial of the New York Produce Exchange, favoring House bill 8337, to amend an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Resolutions of the Wisconsin Closing Farmers' Institute, Oconomowoc, Wis., relative to the coloring of oleomargarine—to the Committee on Agriculture.

Also, resolutions of the same institution, in favor of the rural free-delivery system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the same, favoring a bill for the establishment and maintenance of schools of mines and mining—to the Committee on Mines and Mining.

By Mr. FITZGERALD: Resolution of Levi P. Morton Club, of Brooklyn, N. Y., and Coopers' Union No. 2, of New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of the National Association of State Dairy and Food Departments, for uniform legislation for the conduct of said departments—to the Committee on Interstate and Foreign Commerce.

Also, memorial of New York Produce Exchange, in relation to amendment of the interstate-commerce acts—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of American Federation of Labor, Brotherhood of Locomotive Engineers, and other labor organizations, in favor of the extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. GREENE of Massachusetts: Resolution of Polish Society No. 36, of New Bedford, Mass., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. GREEN of Pennsylvania: Resolutions of Honest Workers' Lodge, No. 25, Reading, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Stove Mounters' Union No. 42, Reading, Pa., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petition of citizens of Robesonia and vicinity, in the State of Pennsylvania, favoring an amendment to the Constitution making polygamy a crime—to the Committee on the Judiciary.

By Mr. HEMENWAY: Resolutions of Federal Labor Union No. 9310, of Petersburg, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JONES of Washington: Petition of J. W. Jackson and other citizens of Centerville, Wash., in relation to rebates on pre-emptions on public lands—to the Committee on the Public Lands.

Also, petition of steamboat owners, pilots, and others, in relation to rules and regulations for gasoline launches—to the Committee on the Merchant Marine and Fisheries.

By Mr. LACEY: Papers to accompany House bill 18457, granting a pension to John S. Crosser—to the Committee on Invalid Pensions.

By Mr. LASSITER: Paper to accompany bill for the relief of the estate of Peter McEnery, deceased—to the Committee on War Claims.

By Mr. LAWRENCE: Petitions of 639 lodges and divisions of Brotherhood of Locomotive Engineers, Railroad Trainmen, Order of Railroad Telegraphers, and Railway Conductors from various States, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LINDSAY: Resolution of New York Produce Exchange, favoring House bill 8337 and Senate bill 3575, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Papers to accompany House bill 9437, granting a pension to Elias A. Calkins—to the Committee on Invalid Pensions.

By Mr. MARTIN: Resolution of Typographical Union No. 218, of Sioux Falls, S. Dak., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. McCALL: Petition of Central Labor Union of Cambridge, Mass., favoring a restriction of the immigration of cheap labor from Europe to the United States—to the Committee on Immigration and Naturalization.

By Mr. MIERS of Indiana: Paper to accompany House bill 6171, for the relief of James L. East—to the Committee on Military Affairs.

By Mr. MORRELL: Resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. MUTCHLER: Paper to accompany House bill 13336, to amend the military record of Samuel Snyder—to the Committee on Military Affairs.

Also, paper accompanying House bill 13149, to remove charge of desertion from the military record of James Heiney—to the Committee on Military Affairs.

Also, papers to accompany House bill 13373, granting an increase of pension to A. W. Marsh—to the Committee on Invalid Pensions.

By Mr. PARKER: Resolutions of Masons' Union No. 16, of Newark, N. J., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Essex Trades Council and Feeders and Pressmen's Union No. 19, of Newark, N. J., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RIXEY: Paper to accompany House bill for the relief of Lebanon Union Church, Lincolnia, Fairfax County, Va.—to the Committee on War Claims.

By Mr. ROBINSON of Nebraska: Papers to accompany House bill 13463, granting an increase of pension to Hiram A. Hober—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Memorial by the National Association of State Dairy and Food Departments, in favor of uniform legislation for the conduct and operation of the said departments—to the Committee on Agriculture.

Also, resolutions of Coopers' International Union No. 2, of New York City, in favor of the proposed increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the New York Produce Exchange, favoring House bill 8337 and Senate bill 3575, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolutions of Polish Roman Catholic Union, No. 202, of Buffalo, N. Y., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

Also, petition of the National Association of State Dairy and Food Departments, in favor of uniform legislation for the conduct and operation of said departments—to the Committee on Interstate and Foreign Commerce.

Also, memorial of New York Produce Exchange, concerning proposed amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. SALMON: Petitions of citizens of Belvidere, N. J., and Warren County, N. J., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

Also, resolutions of Typographical Union No. 433, of Dover, N. J., in favor of the extension of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SMITH of Illinois: Resolutions of the Labor Union No. 8203, of Duquoin, and No. 9280, of Metropolis, Ill., and Labor Union of Anna, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolution of Bricklayers' Union No. 215, New Haven, Conn., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STARK: Resolution of McKinney Post, No. 102, Grand Army of the Republic, of Shelby, Nebr., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. STEELE: Petition of C. Allman and others of Huntington, Ind., urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

By Mr. TIRRELL: Resolutions of Central Labor Union of Fitchburg, Mass., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.



By Mr. TOMPKINS: Petition of Painters and Paper Hangers' Union No. 122, of Newburgh, N. Y., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

Also, resolutions of Millard Division, No. 104, Railway Conductors, Middletown, N. Y., favoring a further restriction of Chinese Immigration—to the Committee on Foreign Affairs.

## SENATE.

WEDNESDAY, April 9, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HARRIS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

O. H. P. WAYNE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of O. H. P. Wayne v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

JOSIAH J. BRYAN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John Bryan, administrator of Josiah J. Bryan, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. J. W. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 11535) for the protection of game in Alaska, and for other purposes; and

A joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2442) confirming title to the State of Nebraska;

A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe; and

A bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes.

## PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a petition of Stone Masons' Local Union No. 5, of Seattle, Wash., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of Stonemasons' Local Union No. 5, of Seattle, and of Carpenters' Local Union No. 98, of Spokane, in the State of Washington, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

Mr. CLARK of Montana presented a petition of the Montana State Agricultural Association, praying for the enactment of legislation providing for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of Local Division No. 191, Order of Railway Conductors, of Glendive, Mont., praying for the re-enactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Mill and Smelters' Local Union No. 117, American Federation of Labor, of Anaconda, Mont., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a memorial of Typographical Union No. 126, American Federation of Labor, of Butte, Mont., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

Mr. CARMACK presented petitions of Bricklayers' Local Union No. 1, of Memphis; of Retail Clerks' Local Union No. 151, of Memphis, in the State of Tennessee; of the American Federation of Labor, the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen, the Order of Railway Conductors, the Brotherhood of Railway Trainmen, the Order of Railway Telegraphers, the Sailors' Union of the Pacific, the In-

ternational Seamen's Union of America, and the Chinese-Exclusion Commission of California, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

He also presented petitions of Paper Hangers' Local Union No. 83, of Barbers' Local Union No. 79, of the Nashville Typographical Union, and of Plasterers' Local Union No. 91, of Nashville; of Beer Bottlers' Local Union No. 195, of the Marine Engineers' Beneficial Association No. 20, of Switchmen's Local Union No. 127, and of Bricklayers' Local Union No. 1, of Memphis; of Knoxville Typographical Union, No. 111, and of Paper Hangers' Local Union No. 14, of Knoxville; of Painters, Decorators, and Paper Hangers' Local Union No. 226, and of Iron Molders' Local Union No. 53, of Chattanooga; of Tobacco Workers' Local Union No. 52, and of Iron Molders' Local Union No. 355, of Bristol; of Clarks-ville Typographical Union, No. 436, of Clarks-ville, and of Iron Molders' Local Union No. 165, of South Pittsburg, all in the State of Tennessee, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Antrim, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. DOLLIVER presented a petition of the Business Men's Association of Davenport, Iowa, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Bankers' Association of Cedar Rapids, Iowa, praying for the repeal of the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Business Men's Association of Pella, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry papers to accompany the bill (S. 1261) granting a pension to Nathan L. Faulkner; which were referred to the Committee on Pensions.

He also presented petitions of Local Division No. 93, of Fort Dodge; of Lodge No. 130, of Eagle Grove; of Lodge No. 86, of Perry; of Lodge No. 520, of Council Bluffs; of Lodge No. 430, of Lake City; of Lodge No. 133, of Clinton; of Lodge No. 515, of Fort Madison; of Lodge No. 352, of Estherville, and of Lodge No. 56, of Twin City, all of the Brotherhood of Railroad Trainmen, in the State of Iowa, praying for the passage of the so-called Foraker-Corliss safety-appliance bill; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Coopers' Union No. 426, of Ottumwa; of Local Union No. 162, of Ottumwa; of Painters' Local Union No. 136, of Ottumwa, and of Local Union No. 313, of Ottumwa, all of the American Federation of Labor; of Local Union No. 869, United Mine Workers of America, of Boonsboro, and of Lodge No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, all in the State of Iowa, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of Painters, Decorators, and Paper Hangers' Local Union No. 548, American Federation of Labor, of Fairfield, and of Lodge No. 29, Brotherhood of Locomotive Firemen, of Mason City, all in the State of Iowa, praying for the re-enactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Lodge No. 515, Brotherhood of Railroad Trainmen, of Fort Madison; of Local Union No. 548, American Federation of Labor, of Fairfield, and of the Painters, Decorators, and Paper Hangers' Local Union No. 83, American Federation of Labor, of Keokuk, all in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of Lodge No. 515, Brotherhood of Railroad Trainmen, of Fort Madison, Iowa, praying for the enactment of legislation providing for the exclusion of all alien labor coming into this country; which was referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented a petition of Federal Labor Union, No. 9370, American Federation of Labor, of Petersburg, Ind., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. HOAR presented a petition of the Central Labor Union of Fitchburg, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. QUAY presented a petition of Onoke Lodge, No. 211, Brotherhood of Locomotive Firemen, of Easton, Pa., praying for the